To be lieutenant general

Maj. Gen. John Russell Deane, Jr., xxx-xx-x... xxx-... U.S. Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 18, 1972:

DISTRICT OF COLUMBIA COURT OF APPEALS

Stanley S. Harris, of Maryland, to be Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

H. Carl Moultrie, of the District of Columbia, to be an associate judge, Superior Court of the District of Columbia, for the term of years prescribed by Public Law 91-358, approved July 29, 1970.

DEPARTMENT OF THE TREASURY

James E. Smith, of Virginia, to be a Deputy Under Secretary of the Treasury.

U.S. TAX COURT

Cynthia Holcomb Hall, of California to be a judge of the U.S. Tax Court for a term expiring 15 years after she takes office.

HOUSE OF REPRESENTATIVES—*Friday, August 18, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Acquaint thyself with God and be at peace: Thereby good shall come unto thee.—Job 22: 21.

Eternal God our Father we are grateful for life and for the opportunity of serving our Nation in these Halls of Congress. Grant that we may be strong enough and patient enough to be equal to every experience, ready for every responsibility and adequate for every activity. Bestow upon us all the spirit of devotion which proves that it is just and good to obey Thy Commandments as taught in Thy Word.

Now we pray that we may walk in Thy way and live by Thy laws until the shadows lengthen and the evening comes and the busy world is hushed and the fever of life is over and our work is done. Then, of Thy great mercy, grant us a safe lodging, a holy rest, and peace at the last: through Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 2394. An act for the relief of Antonio Benavides;

H.R. 2703. An act for the relief of Mrs. Concepcion Garcia Balauro;

H.R. 5158. An act for the relief of Maria Rosa Martins;

H.R. 5814. An act to amend section 2735 of title 10, United States Code, to provide for the finality of settlement effected under section 2733, 2734, 2734a, 2734b, or 2737;

H.R. 9256. An act for the relief of Kyong Ok Goodwin (Nee Won);

H.R. 10713. An act for the relief of Wilma Busto Koch;

H.R. 12392. An act to amend title 28, United States Code, section 1491, to authorize the Court of Claims to implement its judgments for compensation; and

H.J. Res. 1278. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill and a concurrent resolution of the House of the following titles:

H.R. 14896. An act to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs; and

H. Con. Res. 553. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 14896) entitled "An act to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TALMADGE, Mr. ALLEN, Mr. HUMPHREY, Mr. MILLER, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2956) entitled "An act to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress," agree to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. CHURCH, Mr. SPONG, Mr. CASE, and Mr. JAVITS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2166. An act to authorize the establishment of the Grant-Kohrs Ranch National Historic Site in the State of Montana, and for other purposes; and

S. 3159. An act to authorize the Secretary of the Interior to establish the John D. Rockefeller, Jr., Memorial Parkway, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12931) entitled "An act to provide for improving the economy and living conditions in rural America."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3490. An act to authorize and request the President to issue annually a proclamation designating August 26 of each year as "Women's Rights Day";

S. 3594. An act providing for Federal purchase of the remaining Klamath Indian Forest;

S. 3762. An act to extend the program for health services for domestic agricultural migrant workers; and

S. 3811. An act to amend the act entitled "An act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes", approved November 5, 1966.

AMENDING SHIPPING ACT, 1916, AND INTERCOASTAL SHIPPING ACT, 1933

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 755) to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 14, insert:

"(d) By amending the first paragraph of section 23 to read as follows:

" 'Orders of the Commission relating to any violation of this Act or to any violation of any rule or regulation issued pursuant to this Act shall be made only after full hearing, and upon a sworn complaint or in proceedings instituted of its own motion.' ".

Page 2, line 15, strike out "d" and insert "(e)".

Page 3, lines 3 and 4, strike out "to be assessed by the Federal Maritime Commission".

Page 3, strike out lines 6 to 10, inclusive.

Page 3, lines 15 and 16, strike out "to be assessed by the Federal Maritime Commission".

Page 3, after line 17, insert:

"SEC. 3. Any civil penalty provided herein may be compromised by the Federal Maritime Commission, or may be recovered by the United States in a civil action."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman, our colleague from Maryland, the chairman of the Committee on Merchant Marine and Fisheries, to explain briefly to us the purport of the Senate amendments that we are concurring in and the need for concurrence and if there is an increase in cost

and if the Senate amendments are germane.

I yield to the gentleman for that purpose.

Mr. GARMATZ. I thank the gentleman for yielding.

Mr. Speaker, the purpose of the bill is to assist the Federal Maritime Commission in carrying out its regulatory functions under the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933. The bill would do this by: First, changing the penalty provisions of the Shipping Act, 1916, from criminal to civil in those three areas that give the Commission most of its enforcement problems in day-to-day operations; second, providing a civil penalty for violations of any order, rule, or regulation of the Commission; and third, authorizing the Commission to compromise all civil penalties provided for violations of those sections of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, which are subject to its jurisdiction.

I might tell the gentleman two amendments are germane. The House-passed bill would amend the Shipping Act of 1916, to generally provide that whoever violates any order, rule, or regulation of the Federal Maritime Commission shall be subject to a civil penalty of not more than $1,000. The first Senate amendment would amend section 23 of the Shipping Act of 1916, so that the hearing procedure required for violations of that act would apply to violations of any such rule or regulation of the Federal Maritime Commission.

The second amendment is a technical amendment.

Third, the House-passed bill would generally have permitted the Federal Maritime Commission to assess civil penalties provided by the Shipping Act of 1916 and the Intercoastal Shipping Act of 1933. The remaining Senate amendments Nos. 3, 4, 5, and 6, would delete this authority, and in lieu thereof provides that the FMC may compromise any such civil penalty, or take civil action in the courts.

Mr. HALL. Mr. Speaker, I thank the gentleman. As I understand it, they are germane and apparently the main purpose is to change from criminal penalties to civil penalties. I deduce that there is no increase in cost by virtue of the Senate-added amendments.

Mr. GARMATZ. The gentleman is correct.

Mr. HALL. Mr. Speaker, I also ask if the gentleman has cleared with the minority the concurrence in the Senate amendments?

Mr. GARMATZ. Yes, I have.

Mr. HALL. Mr. Speaker, I appreciate the explanation for the benefit of all the Members, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FARMFEST—U.S.A.

Mr. FRASER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 182) authorizing the President to invite the States of the Union and foreign nations to participate in Farmfest—U.S.A. and the World Ploughing Contest in September 1972.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman from Minnesota if it is anticipated that this will require any expenditure of Federal funds?

Mr. FRASER. Mr. Speaker, if the gentleman will yield, I can assure the gentleman from Iowa (Mr. GROSS) that the purposes of this resolution will involve no commitment of any funds by the Federal Government.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 182

Whereas the United States will host the Nineteenth Annual World Ploughing Contest in September 1972 in Blue Earth County, Minnesota, and

Whereas up to twenty-two nations can be expected to participate in this contest on September 15 and 16 as part of a weeklong Farmfest—U.S.A., and

Whereas the 1972 National Ploughing Contest and the 1972 Grand National Tractor-Pull Contest are included in the scheduled events of Farmfest—U.S.A., and

Whereas Farmfest—U.S.A. will feature exhibitions of machinery, equipment, supplies, services, and other products used in the production and marketing of agricultural products; promote foreign and domestic trade and commerce in such products; and salute worldwide agriculture: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to invite by proclamation or in such other manner as he may deem proper the States of the Union and foreign nations to participate in Farmfest—U.S.A. to be held in Blue Earth County, Minnesota, from September 11, 1972, through September 17, 1972.

Mr. FRASER. Mr. Speaker, it is my privilege to offer this resolution on behalf of the entire House delegation from Minnesota.

Next month the State of Minnesota will host two related events; namely, Farmfest—U.S.A. and the 1972 World Ploughing Contest.

Farmfest—U.S.A. is an exposition that has an appeal not only for farmers but also for those interested in agriculture. The exhibits, both educational and commercial, are related to modern agricultural and conservation practices.

For only the second time the United States will serve as host country for the world ploughing matches. It is expected that about 40 contestants from 22 nations will compete in this colorful demonstration of agricultural skill. In addition about a dozen contestants will participate in the national competition.

As the committee report notes, no expenditure of public funds is involved. The joint resolution simply asks the President to invite by proclamation or other appropriate means the States of the Union and for nations to participate in the week-long tribute to those who derive their livelihood from agriculture.

I urge Members of the House to support the passage of Senate Joint Resolution 182.

The Senate joint resolution was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FRASER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the Senate joint resolution (S. J. Res. 182) just passed.

The SPEAKER. Is there objection to the request from the gentleman from Minnesota?

There was no objection.

A CASE OF MISTAKEN IDENTITY

(Mr. BOW asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. BOW. Mr. Speaker, I was quite surprised this morning when my attention was called to a Washington Post story showing a number of Members of Congress appearing before the Soviet Embassy in some kind of a protest.

Now, in looking over the story I find that my name is used as one of those appearing before the Soviet Embassy. Also in the picture printed by the Washington Post I am identified as being one of those appearing in the picture.

Mr. Speaker, I wish to say here and now that I was not in front of the Soviet Embassy, and I am not the one who is identified in the picture.

I hope the Washington Post will retract.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOW. I am delighted to yield to the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, I got up a little later this morning than I usually do. I picked up the Washington Post and saw the picture and read the story. I must admit that the headline shocked me a little bit and I will be darned if I could find the picture of the gentleman from Ohio in the photograph. I am glad that the gentleman denies that he was present.

Mr. BOW. I was not there. It has been suggested by several people that they would like to have me autograph the picture. If they will get it for me, I will be glad to autograph it.

CORRECTION OF VOTE

Mr. DUNCAN. Mr. Speaker, on rollcall No. 304 I am recorded as voting "yea." I voted "nay." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CORRECTION OF VOTE

Mr. COLLINS of Texas. Mr. Speaker, on rollcall No. 330 I am recorded as not voting. I was present and voted "yea." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AGREEMENT ON LIMITATION OF STRATEGIC OFFENSIVE WEAPONS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1097 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1097

Resolved, That upon the adoption of this resolution it shall be in order to move, clause 7, rule XIII, to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1227) approving the acceptance by the President for the United States of the interim agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms. After general debate, which shall be confined to the joint resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the joint resolution or to the amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the joint resolution. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. GROSS. Mr. Speaker, I wonder if the gentleman would yield for a brief observation.

Mr. PEPPER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I think it is fitting that PEPPER should launch a discussion of "SALT."

Mr. PEPPER. Mr. Speaker, I appreciate my able friend from Iowa recognizing the propriety of PEPPER speaking for SALT.

Mr. PEPPER. Mr. Speaker, House Joint Resolution 1097 provides an open rule with 1 hour of general debate for consideration of House Joint Resolution 1227, the Agreement on Limitation of Strategic Offensive Weapons. The report does not contain a cost estimate; therefore, points of order are waived for failure to comply with the provisions of clause 7, rule XIII.

House Joint Resolution 1227—surely one of the most important matters that could possibly come before this Congress—approves and authorizes the President to accept the interim agreement on the limitation of strategic offensive arms, signed by President Nixon and the General Secretary of the Central Committee of the Communist Party at Moscow, May 26, 1972.

The agreement is the result of negotiations which started more than 10 years ago. SALT resulted in a treaty limiting antiballistic missile systems and a 5-year interim agreement freezing the overall levels of strategic offensive missile pending further negotiations which are to begin in October.

The treaty was transmitted to the Senate for "advice and consent." The interim agreement was sent to both Houses for approval.

Mr. Speaker, I want to add that I commend the President and all who have had a part in bringing this interim agreement to be approved by the Congress, that is by the Senate and the House of Representatives, whose Members are elected by the people of the United States.

I should have preferred to see the treaty which deals with the matter of the location and the number of antiballistic missiles each nation may have also submitted for approval of the Congress, because a matter so vital to the security of the country, it would seem to me, should be duly considered by the Congress of the United States, the people's elected representatives, in both Houses.

Mr. Speaker, I commend the President for his efforts to restrain the violence of the cold war and bring this Nation into a closer accord with the Soviet Union.

I did what I could to induce our country and the Soviet Union to adopt such a policy immediately after World War II. As a member of the Foreign Relations Committee of the Senate, and fearful about the seeds of World War III being sown in the aftermath of World War II, I visited 19 countries. In the course of that trip I conferred with Sir Winston Churchill, Prime Minister Attlee, General de Gaulle, General Eisenhower, Premier Stalin, and all the principal leaders of the 19 countries I visited.

On March 20, 1946, I made an extensive speech on the floor of the Senate in which I discussed the dangerous tensions which had already developed among the nations which had fought together in the war, the increasing conflict, suspicion, and fear arising among them. I also pointed out the frightening prospect of a nuclear arms race, still in its infancy but portending a growth of nuclear power on the part of the Soviet Union and the United States in the foreseeable future endangering not only both of those countries but the entire human race.

At that time the United States had a very limited number of bombs, and, so far as we knew, Russia had none, but was working frantically to develop her capacity to produce them. Whatever my plea and whatever seemed to me to be the answerable logic behind my belief that Russia would, on a day not too distant from then, challenge us as a nuclear power, I could persuade none in authority to see the necessity of acting then to stop the nuclear arms race.

On the contrary, I was severely criticized by many for proposing that Russia could ever challenge us as a nuclear power. Some even implied that my recognition of that possibility suggested that I preferred Russia to my own country.

Now, 26 years later, we have before this House for approval an agreement entered into between President Nixon and the Soviet authorities proposing an interim freeze upon offensive strategic nuclear weapons of both the United States and the Soviet Union.

In this agreement it is specifically recognized, as is set out on page 3 of the report of the distinguished Committee on Foreign Affairs of the House, that on July 1, 1972, the United States had 1,054 fixed, land-based ICBM launchers and the Soviet Union had 1,618. In many other categories of offensive nuclear weapons the Soviet Union now has superiority over the United States, although we hope our authorities are right in holding that, overall, taking into account all of our weapons capable of offensive nuclear action, we are of equal strength. I am disturbed, from the testimony we have heard from Admiral Rickover, that the Russians have the capability to build nuclear submarines three times in excess of ours.

I do not understand why our country has allowed Russia to gain superiority over us in any critical area related to our defense and security. There is no use now to go back and cry over our failure to do what some of us thought we should have done in the earliest days of nuclear weapons, to try to find a limiting agreement on such weapons then. We must, of course, consistent with our own carefully preserved security, do everything we can to spare our country and mankind from the terrible potential of nuclear destruction which today, like a damoclean sword, hangs over the human race.

I hope, therefore, that what the President has done will lead to a diminution not only in the nuclear arms race but in the armaments race between the United States and the Soviet Union.

As I urged upon Stalin when I saw him in Moscow in September, 1945, Russia and the United States should have taken the lead after World War II in international action which would have prevented all the other nations of the world from rearming again, and especially

Germany and Japan; and then the Soviet Union and the United States should have reduced their own armed forces down to a moderate level and discontinued the kind of arms race which has so long been the maker of wars and the curse of peace.

Let us hope that these agreements which the President has negotiated will lead to a new spirit of genuine and sincere cooperation between the United States and Russia to respect the integrity and security of each other and of all people, and to spend their substance, always too little, upon the things that make life better for our people and for all people.

Mr. Speaker, the measure which this rule would authorize may make the difference between war and peace. It may indicate the opening up of a new day for our nation and for all nations. So this is a day pregnant with hope as well as awesome responsibility on the part of this body.

But since we must move forward with faith, I urge the adoption of the rule, Mr. Speaker, so that this meaningful measure may receive what I hope will be the hearty approval of this House.

Mr. Speaker, I yield 30 minutes to the able gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1097 provides an open rule with 1 hour of general debate for consideration of House Joint Resolution 1227, the Agreement on Limitation of Strategic Offensive Weapons. We waivtd points of order so far as failure to comply with the provisions of clause 7, rule XIII, because it was impossible to make a cost estimate on House Joint Resolution 1227.

Mr. Speaker, the purpose of House Joint Resolution 1227 is to provide congressional approval of the interim agreement between the United States and the U.S.S.R. dealing with the limitation of strategic offensive arms and the related protocol which was signed by President Nixon in Moscow on May 26, 1972.

The strategic arms limitation talks—SALT—began on November 17, 1969, and resulted in two separate accords. The first is a treaty limiting anti-ballistic missile systems. The second is a 5-year interim agreement which provides a freeze on the levels of strategic offensive missile forces pending further negotiations.

The treaty was sent to the Senate for its advice and consent, while the interim agreement has been submitted to both the Houses of Congress for approval. While the House will act only on the interim agreement, the treaty and the interim agreement are so closely related that some mention should be made of each.

The treaty provides generally that each side will limit ABM systems to two sites: One to defend its national capital, and one to defend an ICBM site.

The interim agreement which requires the approval of both Houses, limits ICBM's, ballistic-missile submarines and submarine-launched ballistic missiles. No limitations are placed on strategic bombers. The limitations in the interim agreement are binding for 5 years, unless superceded by a comprehensive agreement. Major provisions in the interim agreement include the following: No additional fixed, land based, ICBM launchers may be started during the freeze, beyond the numbers in place and under construction on July 1, 1972. This allows 1,054 ICBM launchers for the United States and 1,618 for the U.S.S.R. Silos may not be relocated. The United States is allowed up to 44 nuclear-powered ballistic-missile submarines, while the U.S.S.R. is allowed up to 62 similar submarines.

There are no departmental letters or minority views in the committee report. However, the committee report does make the following points in support of the agreements. First, the U.S.S.R. had embarked on a large-scale expansion of its strategic forces, which would likely have carried Soviet forces well beyond the level planned for U.S. forces in the mid or late 1970's. Therefore, the effect of this agreement is to limit current Soviet offensive programs, but not current U.S. programs. Second, the limitations on ABM deployment have prevented an expensive new competition in the arms race.

The Committee on Foreign Affairs reported this joint resolution by a vote of 23 to 1.

Mr. Speaker, I urge adoption of the rule.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ANDERSON).

(By unanimous consent, Mr. ANDERSON of Illinois was allowed to speak out of order.)

HON. RICHARD H. POFF

Mr. ANDERSON of Illinois. Mr. Speaker, it has just been brought to my attention that today is the last day that one of our most distinguished colleagues will be with us in the House of Representatives, at least in his present capacity as a Member of Congress. I refer to the distinguished gentleman from Virginia (Mr. POFF), the ranking Republican member of the House Judiciary Committee, with whom I have also had the pleasure of serving on the House Republican Conference where he has very efficiently and with great dedication served as secretary for a number of years.

I know that many Members of Congress will join me—all Members will join me—this afternoon in paying tribute to one of the most devoted public servants that we have ever known. In his knowledge of the Constitution, in his respect for the office which he holds, he has no peers. We will sorely miss his wise and judicious counsel although we will continue to cherish his friendship and unfailing courtesies down through the years.

I know that all of us will want to wish him well as he leaves this body to become a member of the Virginia Supreme Court, where I am sure he will carve out for himself an equally distinguished career. The people of the Commonwealth of Virginia are fortunate indeed that they will continue to enjoy the benefits of the public service of a truly able and distinguished American.

I am pleased to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am deeply grateful that the gentleman from Illinois has brought this to the attention of the House. I am especially grateful that he has yielded so that I may express my comments about the gentleman from Virginia (Mr. POFF). Although the House has many superb lawyers, I have long felt that there was no better legal mind in the House than the gentleman from Virginia, DICK POFF. I did all I could to see to it that his great legal capacity could be further utilized in the highest Court of our land, but for circumstances which were personal to the gentleman from Virginia he decided to withdraw his name from consideration.

I would simply conclude by saying that in my capacity I have known him to be loyal, constructive, and a great adviser. I am positive his contribution to the Commonwealth of Virginia in his new assignment will be just as great as it has been in the Congress of the United States.

Mr. ANDERSON of Illinois. I thank the gentleman from Michigan.

Mr. DENNIS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Speaker, there are others here senior to myself who could speak better to this subject than I but I see no one from our committee on the floor at the moment and I am a member of the Judiciary Committee, with the gentleman from Virginia (Mr. POFF), so it seems to me it is appropriate for me also to pay a tribute to him at this time.

Mr. Speaker, it is a tribute I am very glad to pay because the gentleman from Virginia (Mr. POFF) is a very fine gentleman, a fine individual, and he is an excellent lawyer. I am somewhat junior still in this honorable body here but I am not quite so junior at the bar. One thing I do claim to be able to do is to recognize a good lawyer when I see one. It was not very long after I had been here and I had been on the Committee on the Judiciary before I was able to recognize that the gentleman from Virginia (Mr. POFF) was indeed a very able lawyer.

Along with the minority leader, I regret that the gentleman from Virginia did not go to the Supreme Court of the United States, to which post I was happy to recommend him, but I am sure he will grace the Supreme Court of the Common wealth of Virginia and that he will be an honorable and appropriate addition to a long line of distinguished Virginia lawyers running back to George Wythe, Chief Justice Marshall, Patrick Henry, Thomas Jefferson, and other gentlemen we read about in the history books.

I am sure the gentleman from Virginia (Mr. POFF) will live up to the traditions of the very proud bar of his native

State. As a colleague and a member of the Judiciary Committee I am very happy to have this opportunity to join in this tribute.

Mr. ABBITT. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Virginia.

Mr. ABBITT. Mr. Speaker, I am in wholehearted agreement with all the sentiments expressed here. I would like to point out by way of explanation that several weeks ago we had a special order on this matter when all Members of the Virginia delegation paid their respect to the gentleman from Virginia (Mr. POFF). We commended the Governor for the splendid appointment he made.

I am confident the gentleman from Virginia (Mr. POFF) will serve for many years on the Supreme Court of Virginia as ably as he has here in this body. However, Virginia's gain is a loss to this Congress. I did want the gentleman here to know the Virginia delegation and others have had a special order on this matter. I do wholeheartedly subscribe to everything that has been said.

Mr. DOWNING. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Speaker, even though the gentleman from Virginia, Mr. DICK POFF, is a member of the opposition, I was one of his earliest backers for a seat on the highest Court in the land because I recognize his great ability in the legal field. He is a longtime personal friend of mine. We went to law school together and had many happy years together. I am grateful that the Governor of Virginia has appointed him to the Supreme Court of Virginia where he will continue to serve his State with great distinction.

Mr. WYLIE. Mr. Speaker, it is with a spirit of congratulatory admiration that I rise to make a few remarks concerning my colleague from the Commonwealth of Virginia, the Honorable RICHARD H. POFF.

Today will be the last time that DICK POFF participates in the proceedings of the House of Representatives as a Member representing Virginia's Sixth District. He has held that seat and continued his office with distinction since being first elected to serve in the 83d Congress. Since that time he has earned the respect of his colleagues and the public as a hard working, conscientious, skillful legislator and a dedicated public servant. Like so many of us who are members of this august body, he is an attorney by profession, and this has been his special forte. RICHARD POFF is indeed most learned in the law and an acknowledged expert in the field of constitutional jurisprudence and related legislative matters. This special expertise is, in fact, the very reason for his departure from the seat he holds in the House of Representatives.

He is going to Richmond where he will assume the mantle of another high office of public trust. The Congressman has been appointed a justice of the Supreme Court of Virginia, and in my humble opinion the Commonwealth could not have chosen a more capable attorney to disperse justice in Virginia's highest judicial tribunal.

DICK POFF is my close friend, a sage counsel, and a Christian gentleman. We will all miss Mr. Justice POFF.

Mr. JONAS. Mr. Speaker, I would like to associate myself with the remarks that have been made concerning the forthcoming retirement of our colleague, RICHARD POFF. It is a pleasure for me to have this opportunity to join them in paying tribute to him today.

DICK POFF and I came to Congress the same year, 1953. We soon formed a close association—not only because we came from neighboring States, but because it became apparent that we entertained similar views and political philosophies. Out of that association grew a warm friendship which has continued and grown during the intervening 20 years.

DICK has announced that he will resign from Congress before the end of August to take a seat on Virginia's highest court. While the country and his congressional district will thus lose an able and dedicated servant, I must say that the State of Virginia will be gaining a highly qualified judicial officer and the cause of justice in that State will thereby be promoted.

I, too, am leaving Congress voluntarily at the end of this term. So I cannot say that I will be missing DICK POFF here next year; but I can say that I will miss the companionship and friendship I have enjoyed with him over a period of two decades. And I must add that as I go my way in private life down home in North Carolina and DICK POFF goes his way on the bench in Virginia, I expect that I will occasionally reflect upon the events that have transpired during my 20 years in Congress and one of those associates whose image will frequently pass across my memory will be that of DICK POFF.

I am pleased to have an opportunity today to pay my personal tribute of respect to him; to congratulate him upon a career of dedicated service in Congress; and to wish him continued success as he assumes the high responsibilities as a justice of Virginia's highest court. I predict that he will serve in this high judicial position with the same ability and devotion to duty as he has always displayed in the Congress.

Mr. CONABLE. Mr. Speaker, I want to salute our fine colleague, DICK POFF, as he leaves us for a judicial post in the highest court of the Commonwealth of Virginia. He has always been, in my experience, one of our most judicious Members, a man of learning and the law. He has been an adornment to the Judiciary Committee. As one of the elected leaders of the Republican Party in the House he has been a valued adviser to the President of the United States, as I can attest from having observed the respect with which his opinion is sought at leadership meetings at the White House.

But these views relate to his abilities and his judgment. However preeminent these qualities have made DICK POFF among legislators, of even greater importance to those of us who have been associated with him are his character and his personality. He is a fine human being, kind and thoughtful friend, and a pillar of personal integrity. He will be as good a judge as he has been a Representative and friend. I hope he will visit us often, here, because his counsel will be missed even though we are all proud in the recognition that has been accorded him.

GENERAL LEAVE

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD on the distinguished service rendered to our country and this body by the gentleman from Virginia (Mr. POFF).

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PEPPER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MORGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 1227) approving the acceptance by the President for the United States of the Interim Agreement Between the United States of America and the Union of Soviet Socialist Republics on Certain Measures With Respect to the Limitation of Strategic Offensive Arms.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution House Joint Resolution 1227, with Mr. DANIELS of New Jersey in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes, and the gentleman from California (Mr. MAILLIARD) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, today the House will have its opportunity to express its support of the interim agreement on offensive arms which was concluded between the United States and the Soviet Union and signed by the President in Moscow last May.

This agreement is one of two accords to have been reached as a result of the strategic arms limitation talks—better known as SALT—which began in November 1969.

The other agreement limits the de-

ployment of defensive missile systems. Since it is to be a permanent—rather than interim—agreement, it was submitted to the Senate as a treaty.

The Senate on August 3 gave its advice and consent to the treaty by a vote of 88 to 2.

The interim agreement on offensive arms was submitted to both Houses by the President. He has asked for an expression of support from the Congress through passage of a joint resolution.

This action by the President is in accord with section 33 of the Arms Control and Disarmament Act which requires that all arms control agreements entered into by the United States must be approved by Congress either by treaty or authorization through further affirmative legislation.

After several weeks of hearings on the subject, the committee by a vote of 23 to 1 voted to report the amended resolution which is before us today—House Joint Resolution 1227.

The committee approval of this very important arms limitation agreement was not a decision lightly taken.

A subcommittee of the committee had followed the progress of the talks for almost 3 years. During that period it was briefed by U.S. SALT negotiators nine times.

Other briefings on SALT-related subjects were held with officials of the Department of Defense and Central Intelligence Agency during that period.

We were informed and consulted virtually every step of the way on these agreements.

In addition, once the SALT accords had been signed and the interim agreement had been submitted to us for approval, the committee took testimony from high-ranking executive branch officials, including the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Director of the Central Intelligence Agency, and our chief negotiators at SALT—Gerard Smith, Director of the Arms Control and Disarmament Agency.

As a result of our deliberations, the committee was convinced that the SALT accords are a significant step toward arms limitation fully consistent with the national security interests of the United States.

SUMMARY OF MAJOR PROVISIONS

At this point let me summarize the major provisions of the documents as signed.

Although the ABM treaty is not before this body today for approval, it is so closely related to the interim agreement on offensive arms that the latter cannot be understood completely with some understanding of the treaty.

The ABM treaty allows each side to have one ABM site for the defense of its capital and another site for defense of intercontinental ballistic missiles—ICBM's.

The two sites must be at least 800 miles apart in order to prevent the development of a territorial defense. Each ABM site can have 100 missiles, for a total of 200 for each side.

The treaty contains additional provisions which prohibit either the establishment of a radar base for the defense of populated areas or the capability to intercept ballistic missiles by conversion of air defense missiles to antiballistic missiles.

The treaty also bans sea-based, space-based or land-mobile ABM systems.

Each party will use its own national technical means of verification—such as observation satellites—to monitor compliance with the accords. There is no on-site inspection involved.

A standing consultative commission will be established to promote implementation of the agreements and handle questions which arise in their implementation—including questions of compliance.

The treaty provides for withdrawal by either party on 6 month's notice if "supreme national interests" are judged to have been jeopardized by developments.

The interim agreement on offensive arms is to run for 5 years, unless replaced earlier by a comprehensive permanent agreement. Negotiations on a permanent agreement are to begin in October.

The interim agreement essentially freezes the numbers of strategic offensive missiles on both sides at approximately the levels currently operational or under construction.

For ICBM's, the number is 1,054 for the United States and 1,618 for the Soviet Union. Within this overall limitation, the Soviet Union has accepted a freeze of its heavy ICBM launchers at the current level of those in operation or under construction—a total of 313.

There is a prohibition on conversion of light ICBM's into heavy missiles, including a ban on any significant enlargement of missile silos.

The submarine limitations are more complicated.

Briefly, the Soviets are frozen to their claimed current level, operational and under construction, or about 740 submarine-launched missiles—some of them on an older type nuclear sub.

They are permitted to build to a ceiling of 62 boats and 950 missiles but only if they dismantle older ICBM's or submarine-launched missiles to offset the new construction. This would mean dismantling 210 ICBM's and some 30 missiles on about nine older nuclear submarines.

The United States, by exercising similar options, could increase its SLBM launchers from 656 to 710, and its modern nuclear submarines from 41 to 44.

The agreement does not affect bombers and other aircraft. Nor does it affect our forward-based systems in Europe or the strategic weapons of our NATO allies.

In sum, the interim offensive agreement will keep the overall number of strategic ballistic missile launchers both on land and sea within an agreed ceiling. That ceiling essentially is the current level of weapons, operational or under construction.

The agreement will stop the momentum of the Soviet strategic arms buildup and prevent any further increase in the numerical gap in missile launchers between the United States and Russia.

At the same time it will not affect any on-going American programs.

For example, it will not prevent the continuation of the U.S. program to convert its ICBM's and SLBM's to multiple warheads.

Nor is the B–1 bomber or the Trident submarine system within the purview of the freeze.

THE INTERPRETIVE STATEMENTS

In addition to the agreements themselves, there were a number of interpretive statements. Those interpretations have been provided to the Congress, along with the agreements.

The interpretations are in several forms:

Agreed statements initialed by the delegations;

Agreed interpretations or common understandings which were not set down formally and initialed; and

Unilateral interpretations to make our position clear in instances where it was not possible to get agreement.

The most important of these unilateral statements by the United States involve—

The right of the United States to withdraw from the ABM treaty if an agreement for a more complete strategic offensive arms pact is not achieved within 5 years;

The definition of a "heavy" ICBM from the viewpoint of the United States; and

The inconsistency with the objectives of the interim agreement which would be involved in any deployment of land-mobile ICBM launchers by the Soviet Union.

Dr. Henry Kissinger pointed out during his briefing to Members of Congress on the SALT agreements that in any negotiation of such complexity there will inevitably be details upon which the parties cannot agree. The United States made certain unilateral statements in order to insure that its position on those details was included in the negotiating record and understood by the Russians.

The committee believed that the several matters covered in the unilateral declarations by the United States are important enough to warrant special attention from the Congress.

Consequently, in the report on this resolution, it expressed the viewpoint that actions inconsistent with U.S. interpretations would be considered grave matters affecting the national security interests of the United States.

Our objective was to express congressional support for our SALT negotiators on those important points.

BENEFITS OF THE INTERIM AGREEMENT

Mr. Chairman, this agreement is very complex. It is also an interim agreement, meant to last only until a more permanent, more perfect instrument can be agreed.

Some critics have found it possible to criticize details of the agreement to find fault and raise questions.

In such a frame of mind, there is the danger of seeing the trees and not the forest—for the benefits to the United States in the agreement are evident if certain facts are kept in mind:

The Soviets had embarked on a large-scale expansion of its strategic forces. The momentum of that buildup would have carried their forces well beyond the

level planned for our forces during the mid or late 1970's.

Our country had ceased quantitative increases in its strategic forces in favor of qualitative changes like MIRVed warheads. If the Soviet momentum had not been stopped, however, we also would have been forced to keep pace quantitatively.

That effort could well have cost our Nation $2 billion annually during the next 5 years—for a total of $10 billion.

When the money was spent and the additional land- and sea-based missiles deployed, our people would be no safer than they are today from the threat of a nuclear holocaust. In fact, they would be less secure because the results would undermine mutual deterrence and render difficult any stable international strategic balance.

This agreement is a first step toward checking the arms race. It enhances the security of both sides, while promising relief from costly weapons programs.

Furthermore, it provides us with time and a favorable basis for follow-on negotiations to bring under control elements in Soviet strategic forces which could eventually threaten our security.

The Secretary of State and the Secretary of Defense were emphatic in their belief that the agreements are in the national security interests of the United States.

Admiral Moorer, chairman of the Joint Chiefs of Staff, assured us that the Joint Chiefs and the American Military Establishment fully support the accords.

The director of the Central Intelligence Agency, Richard Helms, asserted that his Agency can successfully monitor Soviet compliance with the agreements through the use of national technical means of verification.

While offering the prospect of a more secure and peaceful world, the SALT agreements will permit the United States to take those steps necessary to maintain a strategic posture which protects our vital national interests and guarantees our continued security.

For those reasons, the interim agreement deserves the support of the Congress—support which can be expressed here today by a favorable vote for House Joint Resolution 1227, as amended.

THE FORM OF THE RESOLUTION

Before I conclude, a word of explanation is necessary on the form of the resolution.

When the committee met to consider the several resolutions of approval which had been introduced, it was keenly aware that the President had asked that final congressional action come before the recess, in order that the second round of SALT negotiations with the Russians could begin in October.

For that reason, the committee believed it wise to strike the "whereas" clauses of the resolution originally sent down by the administration and report a resolution of acceptance without any preamble.

In this way we believe it may be possible to avoid a conference with the Senate, delays which could put off final passage until after Labor Day and thereby force postponement of the second, very vital round of SALT talks.

Mr. Chairman, the issue before the House is whether or not it in the best interest of the United States to approve this interim agreement on nuclear offensive weapons. It imposes limits on the Soviet Union and it imposes limits on us. It lasts for a 5-year period unless a formal agreement concerning limiting offensive weapons can be reached sooner.

If this interim agreement is approved, the Soviet buildup of its ICBM's and its submarine launched ballistic missiles will be held during the next 5 years below the level that we can anticipate if there is no agreement.

Each of our countries, the United States and the Soviet Union, has a different defense strategy and a different mix of weapons to implement its differences. It is a mistake to focus attention too closely on any one type of weapon system and say that unless we have equality with the Soviet Union with respect to this weapon our national security is endangered.

The United States has important elements of military strength that are not covered by this interim agreement or by the ABM treaty. These include our forward bases, our advanced and broadly based technology and our fleet of bombers.

The issue we have to face this afternoon is whether or not we will be better off 5 years from now if we approve the agreement before us than if we do not. I believe the answer is clear. We should approve this resolution so that we can begin negotiations in October to work out a better and more permanent limitation.

The agreements should not, however, engender euphoria that an end to the arms race is in sight. As the President himself has said:

> The agreements are an important step in checking the arms race, but only a first step; they do not close off all avenues of strategic competition.

The negotiations of SALT I required 2½ years to come to fruition. Because it must deal with issues of qualitative limitations as well as quantitative limitations on weapons, SALT II can be expected to pose considerably more difficult problems and be even more protracted in time.

While never abandoning the hope that comprehensive nuclear offensive arms limitation is possible, the United States must continue to maintain a strong strategic posture. As Secretary Laird pointed out to our committee, only by bargaining from a position of sufficient strength can the United States expect success in the attempt to achieve an effective, lasting agreement limiting offensive strategic systems.

While offering the prospect of a more secure and peaceful world, the SALT agreements will permit the United States to take those steps necessary to maintain a strategic posture which both protects our vital national interests and guarantees our continued security.

For those reasons, the interim agreement and protocol deserve the support and approval of the House of Representatives.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman.

Mr. FRASER. Mr. Chairman, I rise in support of House Joint Resolution 1227, authorizing the President to accept on behalf of the United States the interim agreement on offensive strategic nuclear weapons signed in Moscow last May.

Perhaps the most important effect of this agreement, and the related ABM treaty, is to break the action-reaction cycle of strategic arms deployments which have marked the relationship between the United States and the Soviet Union since the end of World War II.

The action-reaction cycle which has fueled the arms race results from the fact that what one side does in weapons development, forces the other side to react, both politically and technologically.

It has been a costly race.

Since the end of World War II, the United States has spent approximately $1,300 billion on defense. For their part the Soviets have spent an estimated $1,000 billion.

If the two countries continue to grow as projected to the end of the century, and if both continue to spend the same proportion of their gross national product on defense, by the year 2000 each could spend another $2,500 billion or more in order to maintain national security.

Because of the cyclical nature of the arms race, however, after spending billions of dollars, neither the United States nor the Soviet Union would have bought safety for its people.

The arms control agreements negotiated during the 30 months of the Strategic Arms Limitation Talks—SALT—provide some hope that the next arms spiral can be avoided.

For the next spiral will, indeed, be a costly one. Two technological advances on weaponry would assure that.

One of those developments is the anti-ballistic-missile system—ABM. The other is the multiple independently targetable reentry vehicle—MIRV.

Since each of those weapons developments tends to cancel the other out in strategic calculations, the deployment of both ABM and MIRV would have entailed constantly escalating expenditures on both sides, while at the same time rendering the international strategic balance less stable.

We need not be reminded of the pressing requirements in our own country for financial resources and the substantial burden which defense spending places on our economy.

In the Soviet Union, which has a considerably lower level of economic development, the arms race clearly is an even heavier financial burden.

Both sides, therefore, have pressing economic reasons for developing mutual arms restraint through negotiations.

The most important outcome of the first set of SALT negotiations has been the treaty limiting deployment of ABM's. By setting a limit to ABM defenses the treaty eliminates one area of costly and

potentially dangerous defensive competition.

Secretary Laird has testified that the total ABM savings through 1981 as a result of SALT would be $9.9 billion, figured in 1968 prices. If the deployment of an ABM around Washington, D.C., ultimately is not authorized by Congress, an additional $4.8 billion could be saved.

Moreover, the limit on ABM deployment reduces the incentive for continuing deployment of offensive systems. The interim agreement on offensive arms is, in effect, recognition of that fact by both sides.

The freeze on ICBM's, submarine-launched missiles, and modern nuclear submarines will result in savings for the Soviets since they have ongoing programs in these areas.

Since the United States does not have current programs of building additional new missile launchers or nuclear submarines, there will be no comparable savings for our side.

However, if the United States had been forced ultimately—because of the action-reaction cycle of the arms race—to match the Soviets missile for missile, the additional costs would have been substantial.

In his testimony before the Committee on Foreign Affairs, Dr. Edward Teller estimated that cost at an additional $2 billion annually for at least the next 5 years, for a total of $10 billion.

Because of the interim freeze, it will not be necessary to divert that money from pressing domestic needs to putting more missile launchers in the ground and under the sea.

More important than any immediate savings which may result from the SALT agreements, however, are prospects that further controls can be agreed on which will allow substantial reductions in weapons expenditures on both sides.

Although that goal has not been reached, the Moscow agreements provide a basis for future negotiations which will—hopefully—lead to important cuts in the level of defense spending by both the United States and the Soviet Union.

Mr. Chairman, for too many years we have spent money for weapons in a fruitless search for safety in a very dangerous world. We have not found safety and our weapons—and the counterweapons of the Soviets—have only added to the dangers.

Now, at last, we have a chance to end that dangerous cycle in favor of mutual restraint and an eventual reduction in the amount of nuclear firepower we have aimed at each other.

Critics of this agreement are adept at playing "number's games" with quantities of launchers, numbers of warheads, amount of megatonnage, throw weights, accuracies, hardness of silos, and other factors in the strategic equation.

Although they can—through "worst possible case" analysis—cause apprehension, their arguments are specious.

Such calculations of marginal advantage at the end of 5 years—whether it be in warheads, launchers or megatonnage—overlook one important point:

Both nations have the ability to destroy the other several times over, and this will remain the case during the 5 years covered by this interim agreement.

In our era of mutually assured destruction, that chilling fact—ironically—should reassure us of the wisdom of the interim agreement.

It should also serve to remind us of the doomsday game we are playing and spur us on to greater efforts at controlling and reducing nuclear armaments.

The interim agreement before us today is an important step in that direction and I urge that it be given approval of the House of Representatives through passage of House Joint Resolution 1227.

Mr. MAILLIARD. Mr. Chairman, I yield myself 5 minutes.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman.

Mr. MONAGAN. Mr. Chairman, I wish to record my support of the interim agreement between the United States and the U.S.S.R. on the limitation of strategic offensive arms.

Clearly, the overriding problem of the great powers today is the creation of a plan through which they can proceed to a gradual reduction of the armaments which they have amassed over the years.

The benefits of such a reduction are obvious. To begin with, the security of the world would be increased and the danger of a holocaust would be decreased with the cutting down of the volume of destructive weapons.

In the second place, very substantial benefits could accrue to the people of the principal nations when the resources presently committed to arms production were diverted to nonmilitary objectives. Clearly, both countries have urgent needs in the domestic civilian sector and it is tragic that so great a portion of the national wealth has been diverted to nonproductive uses.

So far as the merits of the agreement are concerned, it is true that the situation created is not one that is ideal for the United States. The Russians are still free to move ahead in the areas which are not specifically excluded by the agreement. For example, their preponderance in submarines can be increased by 50 percent and this expands that already fearsome military arm. In addition, the sophistication of their warheads can be enhanced while mobile launching sites are not covered.

It is thus obvious that much of the future effect of this agreement rests with the parties. It is significant in this connection that the second stage of the SALT talks is scheduled to begin immediately after the approval of the treaty and interim agreement. It is in this area of reduction of weaponry that the most difficulty lies, but also the greatest hope for meaningful progress.

In questioning Ambassador Smith during the hearings before the Foreign Affairs Committee held on this agreement, I ask him whether or not he believed that the Russians honestly and sincerely desired to achieve significant progress in the limitation of weapons, and I pointed to the recent expansion of the Soviet naval and military presence in so many new areas of the world, a development which Admiral Moorer stated had great significance. Ambassador Smith responded that he had concluded from his long negotiations that the Russians did have such a desire and he believed that we could rely upon this desire in reaching a decision for action on the joint resolution.

Accordingly, I have concluded that the interest of the country required that the joint resolution be approved. It is clearly an interim step and one whose implementation is not at all certain. In this critical time, however, I believe that we should take a step based upon faith in the common desire of all people for peace, a belief that self-interest on both sides will be served by movement in this direction and hope that the future will bring not only the implementation of this agreement but the prompt initiation and successful conclusion of the vitally important phase II of the Strategic Arms Limitation Agreements.

Mr. MAILLIARD. Mr. Chairman, I rise in support of House Joint Resolution 1227.

The chairman, the gentleman from Pennsylvania (Mr. MORGAN) has explained, and the committee report explains, in some detail the contents of the agreement and its companion treaty, which has already been approved by the U.S. Senate.

This historic resolution simply approves of and authorizes the President to accept on behalf of the United States the interim agreement between the United States and the Soviet Union with regard to limitations on strategic offensive arms.

For the first time in the nuclear age, the two superpowers have reached an agreement to put a brake on the nuclear arms race. This agreement, which was signed by President Nixon and Secretary General Breshnev in Moscow on May 26, covered two areas—one, the treaty, as I have said, already approved by the Senate, limiting ABM systems to two designated areas and at a low level; and, two, the interim agreement limiting the overall level of strategic offensive missile systems, which we are asking the House to approve by this joint resolution today.

We are considering the second agreement which would stabilize the level of strategic offensive missiles for 5 years while we proceed with the second stage of the negotiations.

I realize there has been considerable controversy regarding the limitation on strategic offensive weapons. Admittedly, this freeze leaves the Soviet Union with more missile launchers than the United States, although we have more warheads and bombers.

We could debate all day here the relative strength of the United States and the Soviet Union if we want to play the numbers game with this extremely complicated issue. However, we need to remember that a great many factors were balanced off on both sides. As was pointed out in testimony before our committee, the agreement will freeze the total number of strategic missiles at about our present level for 5 years.

This accomplishes a major useful objective in breaking the momentum of

the Soviet offensive missile launcher program. Without this agreement, the Soviets could have had and probably would have had by mid-1977 over 2,000 antiballistic missiles on launchers. This would have compared with our level of just over 1,000.

Actually, both sides could find advantage in the limitations which were agreed to. Each one possesses so much destructive power that neither could start a nuclear war without causing its own destruction. This creates a certain assurance of security for both, and indeed I may say that had this not been the case, surely there would have been no agreement. Both sides had to see advantage in it.

Finally, I think the SALT agreements may provide a foundation on which future agreements can be built that will lead to meaningful reductions in expenditures while still maintaining national security. The resolution itself, is straightforward and uncomplicated and goes directly to the heart of the issues: Do we approve of the agreement that the President his signed? In my opinion, it deserves your support.

Mr. Chairman, I yield 3 minutes to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, I take this time to say that I support the resolution before us, which I regard as a highly important resolution, one of the most important which we have had to consider here.

I think it is regrettable that there are not more Members present on an occasion of this type. I believe that the measure is a step toward a more orderly and peaceful world, which is probably the single most important thing to which anyone in public life can direct himself at the present time.

I think it is also appropriate to note, as a matter of legislative record at this point, although I intended to offer nothing this morning, that there is pending in the other body, as the Members know, amendatory language which would specifically recognize in the resolution the principle, to which I think most of us subscribe and which we are intending here to accomplish, of equality in international strategic forces between our government and the Soviet Union. I think that principle is a sound principle. I trust that in the course of the legislative process, after we have passed the measure in this House, that the language enunciating that principle, which is now being offered in the Senate, or some similar language, will be given serious consideration in the conference and thereafter.

Mr. Chairman, I yield back the balance of my time.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from South Carolina.

Mr. SPENCE. Mr. Chairman, we will soon take one of the most significant votes in the history of this country. We are asked to endorse an interim agreement on offensive arms, which the President concluded as a result of talks with the Russians in Moscow earlier this year.

We are told that we must approve this agreement because it is necessary to stop "Soviet momentum." In other words, the Russians have been engaged in such an intensive arms buildup during the past 10 years, that they threaten to leave us hopelessly behind in weapons strength. For example, in 5 years they would have had 90 "Y-class" submarines, as compared to our 41. By this agreement we manage to hold them to "only" 62. This gives us the chance to catch up in payload capacity—though not numbers—by building Trident.

Here is my question, Mr. Chairman: Why did we let ourselves get in this position? Why did we let an enemy power get so far ahead in certain key areas that we were compelled to enter into a generally unfavorable agreement to stop them? Why does our country—long considered the most powerful on earth—find itself dealing from a position of weakness? In my judgment, it all boils down to this and we should see it for what it is—a lack of reasonable alternative.

Because of an awesome Soviet capacity to produce weapons, we fear that the situation could be even worse next year—and perhaps, in the next few years, unthinkable. Furthermore, we worry that, given the present compulsion of many leaders in Congress and elsewhere to cut back drastically on anything military, we may not do any better at keeping up in the future. Mr. Chairman, because of these factors, and because I feel that we have little choice in the matter, I intend to support this resolution.

I am going to vote for this resolution in hopes that we have learned a valuable lesson. Unquestionably, we could have done much better at SALT for ourselves and for our allies had we been stronger and better prepared. We were forced to accept an inferior status in many cases, and our President could do no better because of our state of relative unpreparedness. We let the Communists get the upper hand, and this is the very result many of us have been warning about for years. Hopefully, we can salvage something from this experience, and our warnings will now be better received.

We can still maintain some degree of world leadership and self-respect under this agreement. Thanks to our ingenuity and technology, we can withstand some inferiority in numbers for a few years. But we must look to the future. We must rekindle the traditional American determination to be "No. 1." Unless we have something to bargain with in the next round of talks, there will be no incentive for the Russians to come to reasonable terms.

Should the Soviets continue their unprecedented buildup of nuclear power, with no competition from the United States, they would have little difficulty showing the rest of the world "who's boss." Whether by threat, or from the natural tendency of the weak to ally themselves on the side of strength, the Soviets would be in a position to control the fortunes of most presently nonalined nations.

As a world power, the United States has solemn duties and weighty responsibilities. She owes freedom and protection to her own people, as everyone knows, but also important is her obligation to help every citizen of the free world remain free. Reasonable men may differ on the advisability of our being a self-appointed guardian of the free world, but few will deny that the obligation is there. Some see it as a moral duty, a humanitarian effort. Others realize that we insure our own future freedom by helping others to remain free. Whatever the motive, no matter how we justify our military presence in the world, we must remain strong and powerful in order to meet our obligations.

With God's help and with the fresh support of those who have now seen the consequences of weak resolve, I am optimistic that our country can discharge our responsibilities with integrity and pride.

Mr. CRANE. Mr. Chairman, will the gentleman yield?

Mr. DENNIS. I yield to the gentleman from Illinois.

Mr. CRANE. Mr. Chairman, I rise in opposition to House Joint Resolution 1227.

On May 26, 1972, President Nixon and Soviet Communist Party General Secretary Leonid I. Brezhnev signed two agreements: the first is in the form of an executive agreement—Interim Offensive Agreement—limiting the deployment of intercontinental—ICBM—and submarine-launched—SLBM—ballistic missiles. The second is a formal treaty restricting to nominal levels, the deployment of antiballistic missiles systems—ABM—which is of primary concern to the other body.

The purpose of the interim agreement on offensive arms is to "freeze," for 5 years, the deployment of ICBM's and SLBM's at specified limits. During the term of the interim agreement, both sides are to seek a permanent set of limitations on strategic offensive arms including elements not included in the interim agreement such as strategic intercontinental bombers and U.S. aircraft based in Europe as well as U.S. aircraft carriers with aircraft capable of delivering nuclear weapons on Soviet territory—known as forward based systems. If no permanent agreement is reached, or both sides do not renew the agreement at the end of 5 years, both sides may resume their deployment of strategic offensive systems.

THE BALANCE OF FORCES UNDER THE SALT ACCORDS

The interim agreement on offensive forces provides for limitations on offensive weapons deployment for ICBM's and SLBM's only. The agreement does not impose limitation on bombers, number of warheads—of the "MIRV" or multiple warhead type—missile accuracy, or other characteristics of strategic nuclear forces. Since 1966, the Soviet Union has focused its strategic buildup on ICBM's and SLBM's. With regard to ICBM's only two properties are restricted: the total number of ICBM's—limited to those in operation or under construction as of July 1, 1972—and the approximate size of the missile silos, the underground housing for the ICBM. The latter restric-

tion places a ceiling on the most important characteristic of ballistic missiles in the long run its payload capacity—or "throw-weight"—by limiting the size of the missile which can be placed in a silo. The significance of this characteristic is that the payload capacity determines the maximum number of individual warheads that can be placed upon a single missile. For example, if one missile has twice the payload capacity of another missile, the larger missile can carry twice the number of warheads carried by the smaller.

The terms of the interim agreement permit the Soviet Union to have a greater number of ICBM's, as well as a greater payload capacity in its entire strategic force. The effect of the agreement with regard to ICBM's is as follows:

	United States	Soviet Union
Modern heavy ICBM's	0	[1] 313
Modern light ICBM's	[2] 1,000	[3] 1,100
Obsolete ICBM's	[4] 54	[5] 209

[1] SS–9, or a new larger missile about to be tested.
[2] Minuteman.
[3] SS–11 and SS–13.
[4] Titan.
[5] SS–7 and SS–13.

The United States has no counterpart to the heavy Soviet ICBM's. The current SS–9 missile has a payload capacity five times that of the Minuteman III missile, our largest and most modern ICBM, and an even larger Soviet missile with a payload capacity eight times that of the Minuteman III could be used to replace the SS–9, further augmenting the Soviet advantage in payload capacity. The Soviets may not convert their "light" ICBM's into "heavy" ICBM's, nor may the United States do so. Both sides may convert their obsolete ICBM's into an equivalent number of SLBM's. The payload capacity of the Soviet "heavy" ICBM's exceed the entire U.S. ICBM payload by a factor of three.

The United States has 41 modern submarines capable of launching SLBM's. Each carries 16 SLMB's; ultimately 31 will be equipped with Poseidon multiple warhead—MIRV—missiles, the remaining 10 submarines will be equipped with the older Polaris missile with a single warhead. Near the end of the decade, the 10 Polaris firing submarines will be replaced by a larger submarine known as Trident—formerly called ULMS.

The Soviet Union has 26 modern submarines of the "Y" class in operation, and 17 more under construction. These are each equipped with 16 SLBM's each with single warheads. The terms of the SALT accords will permit the Soviets to build 62 modern—Polaris-equivalent—submarines. In addition, the Soviets may retain 22 older "G" class submarines firing three SLBM's each. The Protocol restricts the United States to a maximum of 44 modern submarines with no more than 710 SLBM's. The Soviet Union may have no more 950 SLBM's on no more than 62 modern submarines for a total of 84 submarines and 1,016 SLBM's.

MAXIMUM PERMISSIBLE BALLISTIC MISSILE FIRING SUBMARINES

	United States		Soviet Union	
	Submarines	Missiles	Submarines	Missiles
Modern (U.S. Polaris/Poseidon and Soviet "Y" class)	44	710	62	950
Older types (diesel) (Soviet "G" class)	20	0	22	66
Total	44	710	84	1,016

The terms of the interim agreement permit the Soviet Union to dismantle their 209 obsolete SS–7 and SS–8 ICBM's as well as some of their older diesel-powered ballistic missile launching submarines into modern nuclear-powered submarines similar to the U.S. Polaris/Poseidon-type—the Soviet Y class. The United States only has 54 older ballistic missiles—the Titan II—which it may dismantle to add three additional submarines to those already deployed—41—for a total of 44. Unaffected by the agreement are manned strategic intercontinental bombers and qualitative improvements to the existing forces such as multiple warheads, improved accuracy, and other improvements. Neither the United States nor the Soviet Union may increase the number of their ICBM force. However, the Soviet Union will be able to modernize their heavy missiles, 313 SS–9's with a new missile—noted above—with nearly twice the payload capacity of the existing SS–9's. Since the United States is not permitted any heavy missiles under the agreement, the payload capacity of the U.S. ICBM force cannot be significantly increased.

The United States is free to develop and deploy the Trident—ULMS—submarine. The Soviet Union is free to develop its modified Y class submarine to accommodate a recently developed new SLBM.

The United States is free to develop and deploy the B–1 bomber, the proposed new intercontinental bomber. The Soviet Union is free to develop and deploy its new intercontinental bomber, the Backfire.

The United States is free to make further qualitative improvements to its forces, including multiple warheads—MIRV—improved accuracy, and others. The Soviet Union is also free to make qualitative improvements of the same kind. However, because of the advantage conferred on the Soviet Union by the SALT accords in payload capacity of ICBM's—a 5-to-1 advantage—and numbers of SLBM's—a 3-to-2 advantage—their potential for qualitative improvement is vastly greater than for U.S. forces. Thus, the strategic balance could be as below if the Soviets make only modest qualitative improvements in their forces permitted under the agreements.

HYPOTHESIZED STRATEGIC BALANCE 1978
NUMBER OF WARHEADS

United States		*Soviet Union*	
Minuteman III (550 missiles @ 3 warheads)	1,650	SS–9 (modified) (313 missiles @ 20 warheads)	6,260
Minuteman II (450 missiles @ 1 warhead)	450	SS–11 (1,000 missiles @ 2 warheads)	2,000
Titan II (54 missiles @ 1 warhead)	54	SS–13 (100 missiles @ 2 warheads)	200
Polaris A3 (10 boats, 16 missiles @ 1 warhead)	160	TU–20 and MYA–4 heavy bombers (140 aircraft @ 10 missiles and/or bombs)	1,400
Poseidon (31 boats, 16 missiles @ 10 warheads)	4,960	TU–16 and TU–22 medium bombers (700 aircraft @ 5 missiles and/or bombs)	3,500
B–52 heavy bombers (400 aircraft @ 10 missiles and/or bombs)	4,000	"Y" class submarine (62 boats, 16 missiles @ 1 warhead)	950
FB–111 medium bombers (100 aircraft @ 5 missiles and/or bombs)	500	"G" class submarine (22 boats, 3 missiles @ 1 warhead)	66
Total	11,774	Total	14,376

These estimates are conservative because they assume that the Soviet Union will not be capable of matching the U.S. engineering ability in multiple warhead technology within the next 5 years. If the Soviet Union were able to do so, they have sufficient payload capacity in their ICBM force alone to mount 35,000 of our Poseidon-type warheads.

POLICY ISSUES IN THE SALT ACCORDS

The details of the SALT accords are exceedingly complex because the explicit interim agreement on offensive arms, and the treaty on ABM systems have their associated "unilateral statements" and "agreed interpretations" dealing with specific technical and engineering aspects of the offensive and defensive arms held by each side. Nevertheless, some crucial public policy issues emerge from the broad outlines of the agreements.

First, the United States has accepted an inferior position in every area which was the subject of the interim agreement on offensive arms. That is, the United States accepted a position of inferiority in the number of ICBM's, inferiority in the total payload capacity of ICBM's, inferiority in the number of ballistic missile firing submarines, and inferiority in the number of submarine-launched ballistic missiles. In short, the United States has accepted a "freeze" on its own forces, but have merely imposed a "ceiling" on Soviet forces; a ceiling which is substantially higher than the United States. If the United States is willing to accept in-

feriority in ICBM's and SLBM's in the first round of SALT, will the United States be willing to accept inferiority of this kind in other strategic systems which will be the subject of negotiations in the second round of SALT?

Second, most scientists close to multiple warhead technology maintain that the Soviet Union can be expected to develop multiple warheads—MIRV—within the 5-year term of the agreement—the United States developed MIRV warheads in 3 years. If the Soviet Union did this and thereby, exploiting their vast ICBM payload capacity, their potential superiority in warheads would become real, Can U.S. security be maintained with manifest strategic inferiority?

Third, the Safeguard ABM system was justified on the grounds that if the Soviets put sufficient numbers of accurate multiple warheads—a serious possibility, should they choose to do so within the 5-year term of the interim agreement on offensive arms—on their "heavy"—SS–9 type—ICBM's, they could destroy 95 percent of the unprotected U.S. Minuteman ICBM's on a first strike. The ABM treaty reduced the number of ABM interceptors at Minuteman bases to a nominal—100 interceptor missiles—and militarily ineffective level, but the offensive threat—that is, SS–9 missiles or larger—was not reduced. Thus, our Minuteman ICBM's are still in danger. How were the interests of reducing the incentive of the Soviet Union to strike first—a criteria of "strategic sufficiency" in President Nixon's 1972 foreign policy message to Congress—enhanced by the terms of the SALT accords?

Fourth, great emphasis among U.S. allies is placed upon the credibility of U.S. strategic forces to provide a "nuclear shield" against Soviet conventional or nuclear attack. The terms of the SALT accords place the United States in a position of at least apparent—based upon the agreed-upon disparity in the size of strategic forces in favor of the Soviet Union—if not real U.S. strategic inferiority. Based on the credibility of the U.S. nuclear umbrella, we have persuaded allied nations such as Japan and Germany to forgo the development of strategic nuclear forces. How can our alliance policy be supported in the future in the face of the SALT accords?

Fifth, the role of photographic satellite observation—national technical means of verification—to police the terms of the agreement is crucial. There have been major failures of photo reconnaissance in the past, such as the failure in 1964 to determine that the Chinese Communists' first nuclear test was going to be a uranium bomb—which required a huge factory for the production of the nuclear material—it was incorrectly predicted that the Chinese would test an unsophisticated plutonium bomb. The SALT accords require a much higher degree of reconnaissance sophistication, and the consequences of successful Soviet evasion are much more serious for the United States. Is it prudent to place our entire confidence in the integrity of the agreements in satellite observation, when on-site inspection is the only truly reliable inspection technique?

The prefatory language contained in the House joint resolution, as reported, fails to contain any language which is sensitive to the concerns expressed by numerous experts before the committees responsible for studying this agreement in both the House and the Senate.

Failure to include such language is likely to result in a misinterpretation of the determination of the Congress to support a prudent strategic posture. Absence of such congressional support could gravely weaken the chances for successful and truly effective arms limitation accords in the forthcoming round of strategic arms limitations negotiations. Moreover, to the extent that the resolve of the Congress is misinterpreted in Moscow, the chances for a stable and enduring world peace are jeopardized.

I therefore urge that the House reject the resolution.

Should the resolution be passed, I urge my colleagues from the Foreign Affairs Committee who will meet with their Senate counterparts to insist in the conference on the inclusion of the language of the so-called Jackson amendment in the final resolution which will be transmitted to the President.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I rise in support of the Offensive Weapons Interim Agreement and urge passage of House Joint Resolution 1227.

It is generally conceded that America and Russia cannot risk attacking each other because their nuclear arsenals are sufficient to withstand surprise attack and still have enough undamaged retaliatory hardware left over to pulverize the aggressor.

President Nixon and Premier Brezhnev believe it is in the self-interest of their respective countries to perpetuate this condition of mutual deterrence based on nuclear sufficiency. The proposed SALT Treaty limiting defensive anti-ballistic-missile systems and its accompanying interim agreement limiting certain offensive weapons was designed for this purpose.

The rationale of the ABM limitation is obvious. Each new ABM built by one side can be nullified by the other's new offensive installation. It is in nobody's security interest to spend money for that kind of an arms race only to end up poorer, but no safer than before.

The logic of allowing the Soviets a lopsided number of offensive missiles and submarines is obscure if quantity alone is considered. It emerges clearly, however, when other factors relevant to assessing the kill power of these two Nation's strategic nuclear arsenals are taken into account. These include the following:

The actual number of nuclear warheads in the U.S. deterrent package considerably exceeds those of the Soviets because of our many multiple, independently guided reentry vehicles—MIRV's.

The greater accuracy of the U.S. warheads gives them a proportionately large kill capability, ample for nuclear sufficiency.

The U.S. allies and near allies possess substantial strategic deterrent forces which augment the free world's overall deterrent posture.

The arrangements impose no limitations at all on certain U.S. systems contributing to our deterrent strength, such as SAC bombers and U.S. aircraft based overseas on land and on aircraft carriers.

Sufficiency to deter is something in the mind of the beholder and when one side fields a mix of bombers, ICBM's, and SLBM's with which it is satisfied, the other side would need to assume very large and unknown risks of miscalculation in order to assess it as insufficient.

What are inside the strategic systems, how good they are now, and how they may be qualitatively improved are not covered by the arrangements, leaving the parties in exactly the same circumstances, whatever they are, as before.

Provision for verification by each party's own intelligence apparatus involves minimal risk, since the arrangements are cast in terms of items which reasonably can be monitored by satellite photography and similar means.

The foregoing and many additional calculations undoubtedly influenced President Nixon's determination that the agreements are worthwhile and that their terms involve neither undue risks to U.S. security nor disproportionate advantage to the Soviet Union.

In making his decision the President also must have totaled the quite large costs of the superpowers taking no steps at all toward arms control against those involved in the limited agreements he made in Moscow. No person better knows these costs than he and his judgment deserves great respect.

To assure that the arrangements do not grow lopsided by the passage of time, Congress must support the President's R. & D. requests for the Trident submarine program, the B–1 bomber, and other improved strategic systems.

Mr. MORGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. ZABLOCKI).

Mr. ZABLOCKI. Mr. Chairman, I rise in support of the historic resolution approving the interim agreement and related protocol on offensive strategic arms signed in Moscow last May.

In doing so, I want to emphasize that during the process of negotiations which led up to this agreement, Members of the Congress have consistently been kept abreast of developments.

When the SALT talks began about 2½ years ago, the chairman of the Committee on Foreign Affairs assigned the Subcommittee on National Security Policy and Scientific Developments, of which I am chairman, to monitor the progress of the talks.

As a result, the subcommittee was briefed nine times during the 30-month negotiating period. In addition, SALT-related briefings were held with officials

of the Department of Defense and the Central Intelligence Agency.

All of these briefings were open to the entire membership of the committee and many members availed themselves of the opportunity to be brought up to date on progress at the talks. Several committee members visited the sites of the talks for additional briefings.

Other committees of this and the other body have similarly availed themselves of the opportunity regularly to be informed about, and consulted on, the negotiations.

Mr. Chairman, I can attest to the candid and forthright discussion which was given to the issues.

No one who attended those meetings failed to be impressed by the serious, professional attitudes of the U.S. SALT negotiating team.

Their work has been of such quality as to require that we give them individual recognition:

The head of the delegation was the Honorable Gerard Smith, Director of the Arms Control and Disarmament Agency, a man noted for his intelligence and judgment.

Representing the Department of Defense on the team was the Honorable Paul Nitze, former Secretary of the Navy.

Representing the Joint Chiefs of Staff was Lt. Gen. Royal Allison of the U.S. Air Force.

And representing the Department of State was the Honorable Graham Parsons, former U.S. Ambassador to Sweden and Laos and a high-ranking Foreign Service officer.

This is the team that hammered out the details of the agreements which President Nixon and Secretary Brezhnev signed in Moscow last May 26.

Since that time their work has received the endorsement of the highest officials of our Government.

In testimony before the committee on the agreements, the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff all expressed their support of the agreements.

As one who has followed the progress of the talks from the beginning, let me—at this point—add my endorsement.

The treaty on ABM's and the interim agreement on offensive strategic weapons offer the first tangible evidence that the momentum of the arms race between our Nation and the Soviet Union can be successfully halted and that we can move ultimately to mutual arms reductions.

Several points about these agreements deserve particular attention:

First the negotiating dialog between the United States and the Soviet Union has in itself been useful.

Today, we have a much better understanding of Soviet interests and concerns in the strategic area—certainly the most sensitive area of national life.

And the Russians have a better understanding of our interests and concerns.

Second, the bargaining process was one of give and take on both sides.

Some critics have charged that the Soviets got the best of the bargaining. Such charges are not well founded.

Anyone who was knowledgeable of the bargaining positions of both sides as the negotiations progressed should be well aware that there was give and take on both sides—and that our negotiators took as well as they gave.

In that connection let me quote from the President's statement to Members of Congress on June 15 in which he said:

> I have noted a great deal of speculation about who won and who lost in these negotiations. I have said, that neither side won and neither side lost. As a matter of fact, if we were to really look at it very, very fairly, both sides won, and the whole world won.
>
> Let me tell you why I think that it is important. Where negotiations between great powers are involved, if one side wins, and the other loses clearly, then you have a built-in tendency or incentive for the side that loses to break the agreement and to do everything that it can to regain the advantage.
>
> This is an agreement which was very toughly negotiated on both sides. There are advantages in it for both sides. For that reason, each side has a vested interest, we believe, in keeping the agreement rather than breaking it.

I think that statement by the President is a sound one.

A third point which should be made is that nothing in this interim agreement on offensive nuclear weapons—or the treaty on ballistic missile defense systems—was or will be taken on faith.

There is an old belief in this country about not trusting the Russians. It is wise advice—and thus this agreement is not based on trust.

Rather, it is based on quantitative factors which can be verified by national technical means—that is, our observation satellites.

The director of the Central Intelligence Agency, Richard Helms, has assured the committee that these means are fully adequate to monitor successfully Soviet compliance with the agreements.

Moreover, the agreements themselves call for the creation of a Standing Consultative Commission which will be a forum for ironing out any questions or disputes which may arise from the application of the agreements.

In his testimony before the committee, Dr. Edward Teller, the outstanding nuclear scientist, cited the creation of the Commission as a significant advance in dealing with nuclear weapons issues.

My fourth and final point is that the interim agreement on offensive arms is exactly that—an interim agreement.

Its maximum life is 5 years, during which time both sides will be attempting to work out a comprehensive agreement on offensive strategic arms.

There is no pretense that this is a perfect agreement meant for the ages.

Some critics of the agreement have tended to see it in just that light. Their charges appear to be based on the mistaken idea that the agreement is a permanent one.

The agreement is not permanent in any sense. If it should be possible to reach a comprehensive agreement with the Soviets next month—albeit unlikely—the useful life of the agreement will have been 1 month.

The value of the agreement is to give both sides 5 additional years to see if comprehensive controls are possible. For the sake of ending the costly arms race, let us hope that they are.

In the meantime, this body should indicate to the American people and the people of the world that the Congress supports careful, reasonable steps toward strategic arms limitation by giving its overwhelming support to the joint resolution before us today.

Mr. DOW. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New York (Mr. Dow).

Mr. DOW. Mr. Chairman, this Congressman heartily supports the resolution, House Joint Resolution 1227, to accept the interim agreement for limiting strategic offensive arms.

Some days ago, I was curious as to why this particular agreement was not handled as a treaty, but instead, comes as an agreement to be accepted by both Houses of Congress. The Library of Congress has given me some good reasons, and I want to share them with my colleagues.

This agreement relates to offensive weapons, and is interim in nature. Accordingly it does not seem to have the permanence that would be expected in the treaty form.

Further, the Arms Control and Disarmament Act of 1961, which establishes the U.S. Arms Control and Disarmament Agency, states that any agreement which limits U.S. arms must have congressional approval.

We should be pleased that the monumental consequence of this landmark agreement is signified by its submittal to both Houses of Congress. We should be pleased that we, as Members of Congress, can participate in the consummation of the first major limitation upon the principal nuclear weapons.

The implied threats by the Secretary of Defense and by some Members of the other body to qualify this agreement in some fashion, should be opposed. It is certainly ironic when worldwide appeals for strategic arms limitation have been prevalent for years and years, that anyone in his right mind would want to water down the monumental achievement represented in this agreement by armament strategies that would in any way nullify the accomplishments of the agreement. To observe that some American leaders would join in this agreement, yet promptly thereafter seek means to "get around it," is certainly disheartening.

The United States ought certainly to continue its observations of Soviet arming, but the United States should not be the first in nullifying what has been agreed to. I am more than a little surprised and disappointed that the United States might follow this course. Some of us will oppose any watering down of the SALT agreement, or any devices to destroy its effect.

Mr. MORGAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, I thank the gentleman for yielding.

I should like to make two points.

First, I have often stood here in the well and criticized the present adminis-

tration, and on this occasion I am happy to rise and pay tribute to what this administration has done. As the other speakers have pointed out, this has been a remarkable negotiating team. I believe Ambassador Gerard Smith, whom I have had the pleasure of knowing as a friend for many years, has done an outstanding job.

We have had the collaboration of the various agencies of the U.S. Government, and we have established a new means of communication without polemics with the Soviet Union, which can be extraordinarily valuable for years to come.

These agreements, of course, are limited in scope, and I certainly hope further negotiations will proceed to complete the job that has been commenced.

The other point I want to make is this: The strange thing which strikes me about what is going on in the other body, and the objections that have been raised to the interim agreement, is that the interim agreement—the one before us—is the one in which the United States gained something and the Soviets gave up something. It was the treaty on the ABM in which we made the sacrifice and the Soviets got what they wanted. Yet the administration witnesses pointed this out. So if by chance the treaty, which has now been ratified, were to be in force, and the agreement were not to be approved, we would be producing an absurdity: we would be saying, "OK, we have agreed to the treaty in which the United States gives up something, but we are not going to approve the agreement in which the Soviet Union gives up something."

Mr. MAILLIARD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, I rise at this point to endorse the proposal that is on the floor of the House that would call upon the House of Representatives to approve the interim agreement reached by the President and the representatives of the Soviet Union in the recent SALT talk negotiations.

The gentleman from Louisiana, the distinguished majority leader, and I introduced the basic proposal. It was referred to the Committee on Foreign Affairs. That committee worked its will and made some changes in the text, changes which in my judgment in no way whatsoever harm or injure the proposal that was originally submitted. As a matter of fact, I think the committee probably to some extent, if that is the right word, cleaned up the proposal as it was originally drafted.

It seems to me, however, a comment or two might be appropriate at this time as to the attitude of the Congress.

I believe this agreement will be overwhelmingly approved by the House of Representatives, and properly so. However, I do think it wise to say that both in the other body and here many searching questions have been asked and in the minds of at least some there is some concern and some apprehension.

I believe that the President and his negotiating team did a good job, but it should also be borne in mind—and this is in relationship to subsequent negotiations—that the President of the United States, whoever that might be, has to come back to the legislative body in the United States which represents the people to get in the one case any treaty agreement by the other body and an executive agreement approval by both bodies.

So the President in his negotiations does have to bear in mind the attitudes and the opinions of the 535 Members of the Congress as a whole. The President does not have a totally free hand, and under our system he should not.

This ought to be understood by those on the other side of the negotiating table. This fact of life in American politics ought to be understood by the other side in any such negotiations. It is a give and take with the Congress, figuratively, looking over the shoulder of our President.

In the case of the United States the President has the primary responsibility but he does have to bear in mind the facts, attitudes and opinions that do exist in the legislative branch under our system of government in America.

Mr. Chairman, I endorse the proposal before us and urge its affirmative consideration and I hope by an overwhelming vote.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the resolution and to pay tribute to President Richard Nixon for the dedicated effort on his part that made it possible for us to make this first significant step toward an understanding between peoples and nations. An understanding that could well set the stage for a full generation of peace.

It is important to understand that this agreement and the accompanying treaty on strategic arms limitation are not the total answer to the problem of the world today. It is important to understand that it is only a beginning. And it is important to understand that the success or failure of these agreements and future agreements will, in the end, be determined by the manner in which all parties involved conduct themselves.

Mr. Chairman, while this agreement is only a beginning, when I think of the possibilities it presents, when I dare to dream that world peace may finally be in our future, the pride I feel for my country and for my President cannot be contained.

Mr. Chairman, I pray that we are right in this effort. I pray that God will continue to lead President Nixon in these extremely delicate negotiations for peace and I pray that each of us will soon be able to live in a time when war is obsolete and has been set aside by a people determined to live in peace.

Mr. YOUNG of Florida. I thank the distinguished minority leader for yielding to me.

Mr. MORGAN. Mr. Chairman, I yield as much time as he may desire to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, I take this time to commend the leadership on both sides of the aisle for supporting the proposal before us today. It represents a significantly forward step in America's history and in foreign policy programs. I endorse the proposal.

I believe the strategic arms limitations agreements now before Congress represent a significant forward step in the struggle for peace in the world. Let us be perfectly frank in admitting the agreements have weaknesses. I am concerned over the apparent numerical superiority the Soviets will enjoy. I am disturbed that the Soviets are not deterred from installing multiple warheads on their missiles.

But the agreement is better than no agreement at all. It is an interim agreement for a 5-year period, to be in effect until such time as a permanent agreement can be reached, unless canceled. The agreements provide us a breathing room while, hopefully a better understanding among nations and permanent agreements on arms limitation is reached.

The proposal which we are now asked to approve is a welcome substitute for an expensive arms build-up. More significantly, it does provide a degree of limitation on the Soviets. This is important because they are not bound by concern for domestic programs. They can build weapons without the restrictions which we impose upon ourselves so that we can provide greater benefits to the people of our country.

Let us hope that the years immediately ahead will give us a better understanding with Russia and with other world powers. Let us hope that it opens the door to an opportunity for permanent agreements on arms limitations. But let me caution that we must maintain a proper level of defense for America during the interim period. Particularly should we explore every fruitful avenue of research and development. We must seek better weapons to offset the limitation which we are imposing on ourselves.

I urge adoption of the agreements by the Congress, and that we afford the President our full support as, with congressional endorsement, he moves toward that goal which we all seek—an end to the arms race everywhere.

Mr. MORGAN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Chairman, I support this agreement, but I want more assurance that we can verify compliance.

Article V of the interim agreement merely states that each nation "shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law."

It is obvious that we are counting heavily on observation satellites. We can doubtless count also on diplomatic con-

tacts, newspapers and articles, defectors, espionage, tourists, and businessmen. But can any of these give us adequate verification?

When Secretary Laird testified on these accords before the Appropriations Committee, I asked him if we had adequate means to discover violations. Mr. Laird would only say:

> Dr. Long, I expect you to take my word for it because you have had the privilege of sitting in executive sessions of this committee, and I believe, based upon the briefings I have given you and the information that you have had available to you, you will accept my words.

Well, I do not recall any such reassurance, and it is not my job as a Congressman to accept anybody's word on anything so vital to our national security.

Nowhere in the two agreements is there any recognition of the uniertainties of what is going on in the closed system of the Soviet Union. Yesterday Senator JACKSON pointed out that the Soviet negotiators lied to our negotiators that they had 48 Yankee class submarines when they only had 42 of these ballistic missile carrying sub—in order to obtain a better bargaining position in the talks.

Satellites can count missiles, but they cannot look inside the silos. In addition, the treaty has not yet settled the question of mobile land missiles. How can we count missiles that are being moved around?

We have to be able to verify that the Soviet Union is living up to the arms limitation. We have to have confidence in our ability to verify. And the Soviet Union has to be convinced that we are able to verify, because if it thinks we cannot, it may be tempted to cheat.

Most treaties and agreements of this type fail—if they do fail—because of cheating and lack of confidence.

Mr. Chairman, I want the agreement on offensive weapons to succeed, but I am disturbed about the adequacy of our verification system, and I am not satisfied with assurances offered by the administration.

Mr. MORGAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Chairman, I rise in full support of House Joint Resolution 1227, the resolution expressing the approval of the Congress and authorization for the President to accept an interim agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms.

The signing of the interim agreement and the ABM treaty in Moscow on May 26, 1972, was a historic first step in our efforts to check the ever escalating, evermore expensive and dangerous nuclear arms race. We must not underestimate the long-term significance, nor can we let down our guard in the face of limited, although notable, progress.

The agreements reached in Moscow this spring represent the culmination of concerted efforts which began during the Kennedy administration with the creation of the Arms Control and Disarmament Agency by the Congress in 1961, action which I supported in the House. Efforts continued during the administration of President Johnson and steps were taken to prepare for direct discussions with the Soviet Union on mutual arms limitation. President Nixon's initiative then led to the opening of the strategic arms limitation talks in November of 1969, and finally, to agreements on the limitation of both offensive and defensive nuclear arms. It has been a long, hard road, but one which I feel we could not afford to ignore.

The United States must, of course, maintain a strong national defense, one which includes a strong strategic posture. The House Foreign Affairs Committee agreed, and I concur, that only by bargaining from a position of sufficient strength can the United States expect success in the attempt to achieve an effective, lasting agreement limiting offensive strategic systems.

I agree, to, that while offering the prospect of a more secure and peaceful world, the SALT agreements will permit the United States to take those steps necessary to maintain a strategic posture which both protects our vital national interests and guarantees our continued security.

We must continue to hope for and work toward a comprehensive nuclear offensive arms limitation. The interim agreement, however, is in the national security interests of our country, and deserves the support of the Congress.

Mr. Chairman, this is a historic occasion for at least two reasons, and for both reasons I can commend President Nixon and the negotiating team on the first count for the substance of both the treaty and the interim agreement, which speak for themselves. And on the second count, Mr. Chairman, because of the fact that this administration has sent the interim agreement for ratification and approval by the Congress of the United States. This is an important step for us, and I would hope that all these executive agreements would ultimately be sent to the Congress for our consideration and acceptance.

The language of the resolution before us, therefore, carries out that intent, and says that the Congress ratifies the agreement and authorizes the President to enter into the formal acceptance for that interim agreement.

Mr. Chairman, it is for these reasons that I rise in support of the pending resolution.

Mr. MORGAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I rise today in support of this resolution, but I think there are some serious limitations to this agreement. Although we are all anxious to go home, and nobody, perhaps, is listening, I believe that if we pass this resolution today without recognizing some of the pitfalls in the agreement it ratifies, we may be in trouble.

It is impossible to explain all of these limitations in 2 minutes, and I hope to get a little more time under the 5 minute rule because, after all, this is basically an agreement with regard to long-range nuclear offensive missiles. The committee that has the primary concern with long-range nuclear offensive missiles is the Committee on Armed Services. We have examined the agreement; we have held hearings on it, but the legislation itself comes out today from the Committee on Foreign Affairs which, as we all know, is highly knowledgeable on the broad spectrum of political and military affairs. But perhaps a comment or two from someone on the military side of the picture might also be appropriate because there are very definite limitations to this SALT agreement from a military point of view.

The distinguished junior Senators from Washington probably the most knowledgeable man in the Congress today in the field of nuclear missiles and national defense generally, is so concerned about some of the inadequacies of this agreement that he has dominated the proceedings of the other body for the last week simply in an effort to put some language into their resolution of approval that will indicate that at least we in Congress know what these limitations are and that we will continue to be aware of them in the 5-year interim period that lies ahead.

The reason I support this agreement is that I think it is better than nothing. I believe that the military situation against us with regard to the Soviet Union would be worse if we did not have the agreement than if we have it.

So I am prepared to support it and I am not even going to offer the so-called Jackson amendment. But I do think we should recognize that this agreement will not exactly usher in the millennium—that we not only begin here from a position of slight inferiority for the United States—but, if we are not careful, it could parlay itself over the next 5 years into a position of substantial relative weakness on our part.

The time of the gentleman from New York has expired.

Mr. MAILLIARD. Mr. Chairman, I yield 2 minutes to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I thank the gentleman for the additional time.

Mr. Chairman, the present time we have 1,054 long-range ICBM missiles while the Soviets have some 1,643. We have 41 nuclear submarines at the present, while they have 31 afloat and 12 others building. So you might say in spite of these numerical differences, maybe we still have a general parity with the Russians. But the Soviets are now and have been, and would have been without this treaty, undertaking a very rapid expansion of their nuclear forces.

Even under this interim arrangement, they are going to be allowed to have as many as 62 missile-firing submarines while our 41 have been frozen at that number for some time and under the agreement could only increase to 44.

So the question is whether we in this country are going to be willing to make the difficult decisions that will be needed over the 5-year period ahead if we are going to prevent this period from being used by the Soviets to achieve an even

greater gap between our nuclear missile power and that of the Soviets.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I am glad to yield to the gentleman.

Mr. DENNIS. Mr. Chairman, I think the gentleman is making a very valuable contribution to this debate, to much of which I subscribe and which definitely needed to be made. I am glad the gentleman has made it.

I would like to add that we hear a lot these days about the need for greater participation by the Congress in the conduct of our foreign policy—a principle to which I subscribe. But I think personally that it is a poor argument for that principle, and rather reflects upon the Congress, that we are considering here this morning a highly important measure of foreign policy, in which we have been asked to participate, and only a corporal's guard is here present.

I thank the gentleman for yielding.

Mr. STRATTON. Mr. Chairman, the gentleman is absolutely correct.

Now, Mr. Chairman, there is some evidence that the terms of the agreement were arrived at rather hastily during 1 or 2 days of the Moscow conference in a desperate effort to get something that could be publicly agreed to. Some of the provisions of the agreement which was finally concluded, it has been suggested, involve concessions on which the American delegation to the SALT talks had until then steadfastly maintained they could not and would not yield.

I cannot pinpoint just which those provisions are, but we can readily see aspects of the agreement that do give cause for concern.

For example, the Soviets also have a substantial number of cruise-missile submarines not even covered by this agreement. Yet these submarines, with nuclear-typed missiles, pose a very considerable threat to the United States. Even though their range is only about 300 miles, they would still be capable of knocking out most of our major cities on the east coast, the west coast, and even along the gulf coast, since they can come in low and fast and thus get under our radar and antiaircraft defenses.

Indeed this is one area where we cannot match the Soviets since their major cities are so far inland that they are inaccessible to cruise missile attack.

In addition, there are the serious ambiguities in language to which I have already referred. Let me give just one example. On page 27 of the Presidential message transmitting the SALT agreements to Congress (House Document 92–311, June 13, 1972) there appears the following "Agreed Interpretation" numbered "J," which reads as follows:

> The Parties understand that in the process of modernization and replacement [permitted under the agreement] the dimensions of land-based ICBM silo launchers will not be significantly increased.

At the bottom of the same page there appears under the heading "Common Understanding" the following words:

> Increase in ABM Silo Dimensions—Ambassador Smith made the following statement on May 26, 1972: "The Parties agree that the term 'significantly increased' means that an increase will not be greater than 10–15 percent of the present dimensions of land-based ICBM launchers.
>
> "Minister Semenov replied that this statement corresponded to the Soviet understanding."

Now, Mr. Chairman, note the plural in the word "dimensions" in the next to the last sentence. In a launcher silo there are two important dimensions—the diameter and the depth. If we allow a 15 percent increase in just one of these two basic dimensions, the volume of the silo is increased by 32 percent—almost one-third. Is an increase of one-third in volume really an "insignificant" increase when it comes to the destructive power of the missile?

And since the wording on page 27 says "dimensions" not "dimension" let us see what happens if we increase both dimensions of the silo by 15 percent. In that case the volume is increased by an astounding 52 percent. That surely is not any "insignificant" increase. Indeed 52 percent is about the difference between the missiles on the new Trident submarine compared to the current Poseidon missile we now employ.

Ambassador Gerard Smith, our chief negotiator at the SALT talks did tell our committee that the wording of this particular "common understanding" actually meant "an increase of 10 to 15 percent in one dimension or a combination, but not in both." But in response to a question from me, he conceded there was nothing in the text of the agreements to demonstrate that the Soviet delegate had also accepted this view.

Let me touch on another problem that also disturbs me. We have heard a lot of talk lately that amendments like those being offered in the Senate by Senator JACKSON upset the spirit of "trust" that marked these historic agreements. But the truth is, Mr. Chairman, that the Russians never did give us the precise number of ICBM launchers which they actually have. They just let us set our ceiling on the basis of our own intelligence estimates of the number of launchers which they have.

What kind of "trust" is this, if the Soviets will not even give us the basic figures on their own nuclear arsenal which are of course essential to any meaningful agreement?

So, Mr. Chairman, while this agreement before us may help to slow down the Soviet momentum, there are just too many loopholes in it for us to assume that peace suddenly is here at last, and that we can all safely let down our guard now and relax.

The Soviets have already indicated their intentions of proceeding at once—as indeed they may already be doing—to improve their missile capabilities under the terms permitted by the agreement. This is why it is so very important for us to continue during this 5-year interim period to improve the quality of our nuclear forces to maintain some continued position of equality.

There are some indications we may be prepared to do just this, since both the House and Senate have approved the new Trident submarine, as well as the B–1 bomber, as recommended by the Joint Chiefs of Staff. But there are other indications that Congress may hesitate to go as far as our military leaders have urged us to go to keep in step with other improvements the Soviets may be making in their forces during this interim period. The ABM missile site approved for the Washington area, for example, has been knocked out over in the Senate. And the Senate has also opposed research and development funds required to provide a steady degree of technological improvement for our own forces.

This is disturbing because if the Soviets do move ahead rapidly, and at the same time we lag back in the mistaken belief that we are now safe because of SALT, the real balance of power between ourselves and the Soviets could shift badly, and the chances of getting a real SALT II agreement would become almost impossible. This would be especially true if the Soviets were to succeed in MIRVing their much bigger and heavier SS–9 missiles.

Maybe all of this will not happen in just 5 years; but there is a chance that it just might happen. And we cannot afford to take that chance or at least be blind to the possibility it could occur.

So this is the reason for the Jackson amendment. I believe it makes a good deal of sense. Let me just read the text of that amendment:

> Resolved that the Government and the people of the United States ardently desire a stable international strategic balance that maintains peace and deters aggression. The Congress supports the stated policy of the United States that were a more complete strategic offensive arms agreement not achieved within the five years of the interim agreement, and were the survivability of the strategic deterrent forces of the United States to be threatened as a result of such failure, this could jeopardize the supreme national interests of the United States; the Congress recognizes the difficulty of maintaining a stable strategic balance in a period of rapidly developing technology; the Congress recognizes the principle of United States-Soviet Union equality reflected in the anti-ballistic missile treaty, and urges and requests the President to seek a future treaty that, inter alia, would not limit the United States to levels of intercontinental strategic forces inferior to the limits provided for the Soviet Union; and the Congress considers that the success of these agreements and the attainment of more permanent and comprehensive agreements are dependent upon the maintenance of a vigorous research and development and modernization program leading to a prudent strategic posture.

Mr. Chairman, I do not intend to offer this Jackson amendment here today. But there is a very good chance it will be added to the resolution in the Senate.

I just want to express here today the hope that if this Jackson amendment is added in the Senate the House conferees will accept it. Its inclusion in the joint resolution would simply demonstrate that we recognize the dangers in the interim agreement, intend to avoid them, and look hopefully ahead to the achievement of a more stable, equitable, and permanent agreement on offensive missiles as a result of the SALT II talks.

Mr. MAILLIARD. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I just want to say I

have listened with great interest to the remarks of the gentleman from New York and I entirely subscribe to what he has said—that we ought not to take this as the millenium and sit back and feel that we are safe forever without taking some additional steps.

As I said in my original remarks, this is an interim agreement and it does not amount to much unless we proceed to the second stage.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman.

Mr. ROUSSELOT. Mr. Chairman, I rise in opposition to House Joint Resolution 1227, the joint resolution approving the agreement on limitation of strategic defensive weapons between the United States of America and the Soviet Union. There are many reasons for my final conclusion to oppose this agreement which in "all hope" would genuinely provide a peaceful atmosphere in which our two countries can operate; however, I do not believe that either our immediate past experience or general conditions around the world justify the honest hope that this agreement will have any meaning should the Soviet Union decide to violate it. It is amazing how rapidly we forget, it was but 3 months ago that the Soviet Union was supplying massive amounts of armaments to the Communist North Vietnamese who were attacking not only the South Vietnamese but also our own American forces in South Vietnam. Further, on May 25. I introduced into the RECORD material from U.S. News & World Report which recounted previous agreements which the United States had with the Soviet Union and how they have violated 24 out of 25. I wish to review for my colleagues some of the facts from that article at this time because I believe it is very pertinent to the discussion here today.

SOVIET RECORD IN 25 SUMMIT AGREEMENTS—HONORED: 1, BROKEN: 24

In seven summit meetings between a U.S. President and a Soviet leader, 25 agreements have been reached. The Soviets have violated 24 of those 25 agreements, according to a staff study for the Senate Judiciary Committee. Here is their record:

1943. At Teheran, in a meeting with British Prime Minister Winston Churchill and U.S. President Franklin D. Roosevelt, Joseph Stalin made four major agreements. Russia broke all of them.

1945. At Yalta, in another wartime Big Three meeting, Russia entered into six major agreements, of which five were violated. The only pledge kept was to enter the war against Japan—and that was done only after the outcome was decided.

1945. At Potsdam, where President Harry Truman represented U.S. in a summit meeting after Germany's surrender, Stalin made 14 major agreements. All were broken.

1955. At Geneva, in a Big Four meeting including France, Russia agreed that Germany's reunification problem should be settled by free elections. Moscow later refused to permit such elections.

No hard agreements were reached at the last three summit meetings—in 1959 when President Dwight Eisenhower met with Nikita Khrushchev in Camp David, Md.; in 1961 when President John F. Kennedy met with Khrushchev in Vienna, and in 1967, when Premier Alexei Kosygin conferred with President Lyndon B. Johnson in Glassboro, N.J.

The Russians similarly have failed to keep many other international agreements with the United States. Examples:

In World War II, the Soviets promised Western allies they were seeking no territorial aggrandizement. But Russia by 1948 controlled 11 countries—plus East Germany—and 750 million people.

Russia repeatedly promised the U.S. between 1942 and 1946 that it would guarantee freedom and free elections in Hungary, Bulgaria, Poland, Czechoslovakia and Rumania. All those countries wound up with Communist dictatorships.

The Kremlin pledged to repatriate World War II prisoners, but instead sent millions of them to slave-labor camps.

Russia gave the U.S. a promise that Korea would be free and independent—then set up a Communist government in the northern half of the country and masterminded an attempt to invade and conquer the rest of Korea. That broken promise cost the lives of 33,629 Americans.

The Soviet Foreign Minister traveled to New York in 1946 and repeated a previous Kremlin promise that the Danube River would be opened to free navigation and trade. Today, the lower Danube, behind the Iron Curtain, is still a controlled Communist waterway.

The Soviet Union promised the U.S. that it would treat Germany as one country after World War II—then sealed off its occupation zone, turned it into a separate country and is now seeking to make Germany's division permanent.

Russia's promise of free travel between Berlin and the West has been broken repeatedly. Outstanding examples of this were the Berlin blockade of 1948–1949 and the 1961 construction of the Berlin Wall.

Russia repeatedly assured the U.S. in 1962 that the arms build-up in Communist Cuba was purely defensive in character—then secretly put in offensive missiles aimed at the U.S. When this action was met by a firm U.S. challenge and naval blockade, Russia promised to remove the missiles.

Faced with Russia's long history of breaking agreements, the U.S. attempted a tacit rather than a formal agreement to halt nuclear testing in 1958. In 1961 the Soviets broke this understanding and resumed testing.

In signing a nonproliferation treaty in 1969, Russia promised to end the nuclear arms race and work toward disarmament. Instead, Russia accelerated its missile construction, overtook the U.S. and is now challenging in almost every category of nuclear weaponry.

In 1970 Russia approved of a U.S. cease-fire plan in the Middle East, then helped Egypt violate it by moving SA–2 and SA–3 antiaircraft missiles up to the Suez Canal.

Other countries, as well as the U.S., have learned by experience that they could not rely on agreements with the Kremlin. Examples:

In joining the League of Nations in 1934, Russia pledged not to resort to war. In 1939, Russia was expelled from the League for acts of aggression, including the invasion of Poland and Finland—both countries with which Moscow had signed treaties of nonaggression.

In violation of nonaggression pacts, Russia invaded Estonia, Latvia and Lithuania in 1940 and incorporated them into the Soviet Union.

My colleague from Illinois, Mr. PUCINSKI, has pointed out that it is the General Secretary of the Communist Party who has signed this agreement and not the signature of the Premier of the United Soviet Socialist Republic. Therefore, a sudden change in the Communist Party leadership would give the Soviet Communists the excuse that the agreement was somehow jeopardized. It is not easy to raise some of these points of honest concern, but I cannot bring myself to believe that this agreement will have any more merit than those of the past which I have reviewed.

Mr. MATSUNAGA. Mr. Chairman, as one who is firmly convinced that further development of offensive armaments by the two great nuclear powers of the world would not advance the cause of world peace, I rise in support of House Joint Resolution 1227.

First, I would like to commend the members of the Committee on Foreign Affairs and its distinguished chairman, the gentleman from Pennsylvania (Mr. MORGAN), for reporting to the House a bill which, stripped of verbiage, sets forth the congressional mandate to the Chief Executive in clear and concise language.

Although a great nuclear power, the United States nevertheless is strongly committed to seek world peace as an affirmative goal. This Nation's history and institutions do not permit the pursuance of any other course. Believing, therefore, that the interim agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms would advance the cause of world peace, I urge support of the measure now before this body. The proposed legislation very simply states that the Congress approves and authorizes the President to accept the interim agreement on behalf of the United States.

Mr. Chairman, my colleagues may have different reasons for supporting the interim agreement, and certainly among reasonable lawmakers the reasons for supporting that agreement may differ. However, whatever may be the basis from which that support springs, it should not, either in whole or in part, involve fear—fear of being relegated to the No. 2 position in the offensive strategic nuclear weapons race and, perhaps, fear of fear itself.

Maximum effectiveness in achieving the result to which the interim agreement merely points the way, can only come from a responsible recognition by the United States and the Soviet Union, as well as by other nations, that the overriding consideration in further sessions at the bargaining table is the fostering of world peace. It is only then that an agreement limiting offensive strategic systems will have any real meaning.

Mr. Chairman, for the reasons I have stated, I urge the passage of House Joint Resolution 1227.

Mr. PURCELL. Mr. Chairman, I rise in support of the resolution approving the acceptance by the President for the United States of the interim agreement between the United States and the Soviet Union on offensive weapons limitations.

The SALT I agreements were formalized in Moscow this spring. They consist of a treaty limiting anti-ballistic-missile systems and an interim agreement intended to freeze strategic offensive missile forces for a period of 5 years pending further negotiations. Today the House of Representatives is concerned only with the interim agreement.

Signed by President Nixon last May, the agreement holds forth real promise that global tension and suspicion can be curbed. After careful study of public opinion from my own constituency and of the wealth of strategic and scientific information brought together by the Committee on Foreign Affairs, and after careful comparison of the effects of the agreement upon U.S. strategic planning and Soviet strategic planning, I am convinced that the approval of the agreement is in the overall best interests of the Nation.

My decision has not come quickly. Public sentiment on this question seems to be just about evenly split among the voters of my northwest Texas district. The focus of concern for those who have expressed their doubts to me has been that such an agreement might compromise our defense posture. Having reviewed the assurances of the Secretary of Defense, the Secretary of State, and the Director of the Central Intelligence Agency in this regard, I am confident that not only will the security interests of the United States continue to be adequately attended, but they will be improved by Soviet compliance with the agreement. Technical inspection procedures have been agreed upon and Congress has received the assurances of our intelligence officials that they are satisfactory.

The Chairman of the Joint Chiefs of Staff, Admiral Moorer, has informed the Committee on Foreign Affairs that without an agreement such as this one, a large-scale Soviet expansion of its strategic forces—already underway—would have continued undaunted. Admiral Moorer testified that the momentum of the Soviet arms buildup would have pushed their capabilities far beyond our planned levels before the end of this decade. Thus, the approval of this agreement will, in the words of the committee, place limitations on current Soviet offensive programs, but not current U.S. programs.

The agreement and the SALT II talks which it makes possible were conceived more than a decade ago. Three administrations have carefully nurtured the course of negotiations to this point. I think there is much which can be gained from a permanent agreement—the objectives of the SALT II meetings scheduled to commence in October. To throw out this interim agreement which we have in front of us today could very well jeopardize strong gains which we will be able to bargain for in those talks.

The record should, and I think clearly will show that the agreement received the closely scrutinized and pragmatic support of the American people. Certainly no one in this Chamber considers the agreement sacrosanct as an end in itself. Actually, it is no more than a latticework supporting a platform upon which negotiating efforts will be made to carve out a permanent agreement.

Hence, at this welcome pause in the long arms race, this country should be resting with one eye open. My support for this resolution comes only with the assurance that this will be the case.

It is absolutely essential to accompany our approval of this agreement with a strong resolve to maintain a positive strategic stance. Far more turns on American strength than international pride. Millions of our world neighbors literally depend upon the strength of our posture. In today's times of volatile and tenuous global relations, our position must continue to be firm in the eyes of the world.

This will not only enhance our bargaining position at the future SALT talks, but it will continue to lend critically needed stability to an unsettled international setting.

Mr. HARRINGTON. Mr. Chairman, I rise in support of House Joint Resolution 1227. Today, as on many past occasions, I registered my wholehearted approval of the SALT agreements. I feel that the results of the summit meeting in Moscow are worthy of great praise. The President's efforts in May of this year culminated the careful negotiations of 2½ years and mark the beginning of what will hopefully become a new era in the foreign relations of this country. These accords are perhaps the most significant accomplishment of this administration and indeed may be referred to as an historic achievement, for the establishment of a relationship with the Soviet Union based on mutual trust and confidence is an important step toward the day when all men can live in peace.

The limitation of strategic offensive arms, which this joint resolution would approve, shows that both the United States and Soviet Union are aware of the increasing threat of a nuclear confrontation and of the pressing need for greater international cooperation in order to avert such a catastrophic event. Both nations have recognized the overall parity of their nuclear forces and have, in effect, agreed to establish a strategic policy of mutual deterrence. Most importantly, these talks have laid the groundwork for further discussion and are a foundation on which to build more stable United States-Soviet relations. The fact that these two great nations were able to agree on these matters is an encouraging sign, pointing the way to the establishment of an atmosphere of greater trust.

There is, however, a relevant matter which is of great concern to me. Although not dealt with in this particular legislation, this is something which has great bearing on how effective these agreements will be. The matter to which I refer, Mr. Chairman, is the proposed increase in military expenditures that is being requested as a result of these very accords.

Frankly, I find it very perplexing that even before the Congress has had the opportunity to consider these arms limitations measures, the Defense Department has come before us asking for additional funds. There is absolutely no valid reason why these moneys should be appropriated, for, as the Senate Committee on Foreign Relations reported from hearings on a joint resolution similar to the one before us now, "expert witnesses were generally agreed that the United States has enough deliverable warheads in the various delivery systems to assure that U.S. strategic forces can destroy the Soviet Union or any other nation many times over. Variations in strengths merely affect overkill, not the ability to kill."

In this same vein, Dr. Stanley Hoffman, professor of government and management of the Center for International Affairs at Harvard University, sees the arms race as an exercise in futility, "which merely condemns the two racers to keep running faster just in order to remain in place" and that "always leaves the two runners at the end of each phase in the same mutual relation but on a higher plateau of financial depletion and human absurdity." So, as many knowledgeable persons have testified, it is certain that the granting of the funds would serve no good purpose.

I fear, in addition, that this accelerated spending would have adverse effects on recent accomplishments, jeopardize changes for further meaningful negotiations, and would generally be an unwise action for this country to take. To increase defense spending at this time would be a hypocritical action with injurious ramifications, demonstrating to the Soviets, Americans, and to people all over the world a policy of hostility and distrust. We must, therefore, show good faith in the interim agreement, for as the aforementioned Senate committee report asserts:

> Escalation of weapons development at this juncture involves a risk that the Soviet Union will be incited into endeavors it might not otherwise undertake. It would be ironic indeed if what is purportedly an agreement on arms limitation might become a spur to further arms buildups.

Dr. Marvin L. Goldberger, chairman of Princeton University's Physics Department, asserted in testimony to the Senate committee:

> There is no reason for accelerating any offensive weapons programs at this time. Instead, if the agreements are to have any real value, then many proposed programs should be cut back.

It is clear that the effects of this add-on spending can only be a hinderance to progress already made.

Another factor to be considered in deciding about the appropriation of the Defense Department's request for an extra $110 million is public opinion within our own country. As I have pointed out, there is an inherent contradiction in reaching an accord on arms limitations on one hand and building up arms with more of the taxpayers' money on the other. I feel that Americans have a right to be upset with this kind of reasoning that links arms control and more spending together. I believe there is an increasing disenchantment and skepticism in our Nation and this spending would add to these feelings and therefore is ill advised.

Mr. Chairman, in conclusion, I would like to reiterate my complete approval of this joint resolution and of the SALT agreements. However, I do not want my vote to be interpreted as in any way supporting the Defense Department's request for additional funds after SALT. This would only work against the measures taken to date and would render ineffective House Joint Resolution 1227 and our other accords with the Soviet Union.

At this point I include in the RECORD an article by Chalmers M. Roberts which appeared in the Washington Post on August 16, 1972. I think it explains very well the reasons for which I oppose post-SALT increased defense spending. The article follows:

[From the Washington Post, Aug. 16, 1972]

BACKWARD OR FORWARD? PROMISE OF SALT: WHAT'S HAPPENING?

(By Chalmers M. Roberts)

Less than three months ago Richard Nixon and Leonid Brezhnev signed their names to "basic principles of relations" between the two superpowers, a sort of codification of the President's pledge that the United States would move from "an era of confrontation" to an "era of negotiation." The Nixon-Brezhnev "principles" included a statement that "differences in ideology and in the social systems" are not a bar to normal relationships, that both nations "will always exercise restraint in their mutual relations" and that both recognize they should eschew "efforts to obtain unilateral advantage at the expense of the other, directly or indirectly."

Three days earlier the two leaders had signed the strategic arms limitation (SALT) agreements. In assessing the Soviet-American atmosphere at the end of the Moscow summitry Henry Kissinger remarked that "I think trust has developed but not the point that it could survive a major challenge that one side would put to the other that affects its own estimate of its vital interests."

It is against this background, it seems to me, that one should assess the Jackson amendment to one of the two SALT pacts, that limiting offensive weapons. The fate of the amendment is far less important that what the discussion of it disclosed about the post-summit attitudes in Washington. The same is true of the related new, more accurate and more powerful American missile warheads that the administration has requested. Like a summer lightening storm the discussion suddenly illuminated the landscape in this capital, both in the Senate and in the White House and elsewhere in the executive branch.

"Confrontation" and "negotiation" are not, of course, mutually exclusive and that is just as true in Moscow as in Washington. Mr. Nixon last July 27 said that "the decision with regard to the SALT agreements involved a fight between the hawks and doves" in his own administration. On July 15 Kissinger remarked at a congressional briefing that during the SALT negotiations "we were acutely conscious of the contradictory tendencies at work in Soviet policy"—in other words, the hawk-dove problem in the Kremlin.

In asking both for congressional approval of the two SALT pacts and for money for the Trident submarine and B–1 bomber programs the President said Brezhnev and his colleagues "made it absolutely clear that they are going forward with defense programs in the offensive area which are not limited by these agreements." Soviet sources in a position to know about those conversations, however, contend that Mr. Nixon's version stretched Brezhnev's remarks for his own purposes. But American sources, equally in the know, contend Brezhnev left no doubt about what Mr. Nixon said he said. Jackson commented that he was "disturbed by the report of the President" on Brezhnev's remarks.

What the Jackson amendment affair plus the revelation of the new missile warhead program demonstrates is the limited meaning being applied by the Nixon Administration to the Moscow "basic principles of revelations" and that we can expect to see a lot more "confrontation" along with future "negotiation." Indeed, the "trust" about which Kissinger spoke seems close to nonexistent.

Jackson made his own motivation clear enough. He considered the offensive weapons agreement put the United States at a disadvantage and he used the amendment device to lock the administration into a SALT II posture of accepting nothing less than what he termed "a restoration of parity." The gloss he supplied on what constitutes "parity" made it clear he meant what those Americans who negotiated the agreements and many others consider old fashioned "superiority." What Jackson could not do by direction—defeat the agreement in the Senate—he sought to do by indirection—tie the administration's hands in the negotiations ahead that are designed to turn the five year agreement into a permanent treaty.

The Kremlin reaction to all this is unclear but not difficult to imagine. Quite probably the Moscow hawks have gained a point in their continuing suspicion of arms agreements with the United States. Whatever chance there was for both Washington and Moscow to exercise mutual restraint by not doing what they legally could do within terms of the SALT pacts has been diminished.

The history of the action-reaction phenomenon in the Soviet-American arms race clearly indicates that the dominant pressure in both capitals is to build those arms not forbidden by agreement out of fear that the other side will do so to its own advantage.

The tragedy is that the long history of the Cold War, of Soviet-American ideological differences on top of clashes of national interest, makes mutual restraint exceedingly difficult to achieve. As Jerome H. Kahan of the Brookings Institution put it to the Senate Foreign Relations Committee on June 28: "In theory, both nations ought to exercise unilateral restraint and pursue purely stabilizing strategic policies. But experience shows that neither nation has taken such initiatives."

The promise of SALT was more than just the important limitations for the first time on both offensive and defensive strategic weapons. The hope of Mr. Nixon's Moscow visit, in Kissinger's words, was that it would "mark the transformation from a period of rather rigid hostility to one in which, without any illusions about the differences in social systems, we would try to behave with restraint and with a maximum of creativity in bringing about a greater degree of stability and peace." Hence the language of the "basic principles" signed in Moscow. Hence Mr. Nixon's remark in his address to Congress that his Moscow and Peking trips had done away with "the kind of bondage" of which George Washington had said: "The nation which indulges toward another in habitual hatred is a slave to its own animosity."

In this larger context both the Jackson amendment and the new missile warhead program represent backward, not forward, steps.

Mr. ANDERSON of Illinois. Mr. Chairman, I am proud to lend my support to House Joint Resolution 1227 which would give congressional approval to the 5-year interim agreement with the Soviet Union on the limitation of offensive strategic weapons. This is truly an historic moment, not only for the Congress, but for the country and the world as the two great nuclear powers move toward halting the strategic arms race. The defensive treaty ratified by the other body, coupled with this interim offensive missile agreement, culminate 2½ years of intensive bargaining at the SALT talks and give tangible evidence that we are indeed, in the words of President Nixon, moving from an era of confrontation to an era of negotiation. It is my fervent hope and prayer that this spirit and momentum will be carried forward into the second round of SALT talks as we endeavor to forge a permanent treaty for the limitation of offensive weapons.

Mr. Chairman, I want to take special note of a reference on page 2 of the committee report to the ongoing briefings and consultations the committee had with our SALT negotiating team while the talks were in process. The report goes on, and I quote:

The willingness of the Executive to be candid about the U.S. negotiating position and developments at SALT, together with the unblemished record of the Congress in keeping confidential the sensitive information imparted to it, have established a model of executive-legislative cooperation which might well be emulated in other areas related to national strategic policy.

Mr. Chairman, as a member of the Joint Committee on Atomic Energy, I would simply want to second those words of praise for the frequent and informative briefings we received both during the talks and subsequent to the signing of the treaty and agreements in Moscow. I would agree that this approach should serve as a model for future policy in related areas of national security policy, and this is what we had in mind in passing the war powers bill just last Monday.

In addition, let me say that as a result of those comprehensive briefings, I was able to develop a full appreciation and understanding of the issues involved and any fears I might have had about a potential strategic imbalance which might result from the treaty and agreement were completely allayed.

As this point in the RECORD, Mr. Chairman, I would like to include several articles on the SALT agreement and treaty including an editorial from the August 7 New York Times, an article by Alton Frye from the June 18 Sunday Star, an article by Chalmers Roberts from the August 17 Washington Post, and an excellent memo from my colleague from California (Mr. HOSMER) to the Republican Task Force on Nuclear Affairs:

JACKSON'S SALT PLOY

It is a truism of politics as well as economics that events are determined "on the margin." Possessors of the last few votes needed to pass a law or win an election often can determine the policy for the majority. But the price the Administration has been paying to its conservative supporters for acceptance of the historic strategic arms limitation (SALT I) agreements with Russia evidently is beginning to seem excessive even to the election-minded White House itself. The over-hasty Administration support given to reservations in a resolution proposed by Senator Henry Jackson reportedly is being reconsidered. It has to be seen whether compromise language really can be found that does not undermine the SALT I pacts and, even more, the prospects for mutual reductions of nuclear weapons in SALT II.

The essential cornerstone for strategic arms limitation, the treaty restricting defensive antiballistic missiles (ABM's) to 200 on each side, already has been approved 88 to 2 by the Senate. It halts the offensive-defense race in weaponry and makes it feasible not only to limit but ultimately to reduce strategic offensive forces, only some of which are to be temporarily restricted now.

The preliminary five-year agreement limit-

ing numbers of ICBM's and submarine missiles could make a useful contribution to arms control, even though it permits some further increases in offensive missile forces and has failed to head off Pentagon efforts to accelerate nonrestricted strategic weapons programs, such as the long-range Trident missile submarine and the B–1 bomber. But the Jackson resolution as it now stands, makes it questionable whether that interim agreement is worth having at all.

The first major reservation in the Jackson resolution would warn the Soviet Union against taking steps to endanger American strategic deterrent forces, saying such steps would be grounds for abrogating the treaty. But this reservation already is covered by the standard escape clause in the interim offensive missile agreement. The United States can abrogate that agreement at any time if new weapons developments actually endanger American security. There is no need to specify as one such development Soviet deployment of MIRV multiple warheads on its giant SS–9 missiles—a development that the United States itself has made inevitable by inventing and deploying MIRV's and refusing to make realistic proposals for a mutual MIRV ban. If Soviet MIRV's one day should endanger the American Minuteman force—and the Administration has insisted that they could not do so within the life of the five-year interim agreement—better countermeasures are possible than abandonment of arms control. Invulnerable sea-based missiles and airborne bombers would continue effectively to deter a Soviet first strike.

The second reservation in the Jackson resolution is not only unnecessary but destructive. It would call for the United States in SALT II to seek numerical limits on Soviet and American strategic offensive weapons. It is destructive because it challenges Administration assurances to Congress that parity of strength is provided by the asymmetrical interim agreement, which gives the Soviet Union an edge in missile numbers to compensate for British and French missiles as well as for American geographic advantages and an American edge in warheads and missile quality. It would also call on American negotiators in SALT II to seek treaty terms the Soviet Union has shown itself unwilling to accept on the valid grounds that these terms would condemn Russia to inferiority.

There is no doubt that, to the layman, the numerical edge in the interim offensive pact appears to give the Soviet Union an advantage, although the Pentagon and its supporters know that this is not so. President Nixon showed political courage in agreeing to the Moscow terms. To undermine this achievement and further arms control prospects by concessions to Mr. Jackson and the military-industrial complex would be the height of folly.

SALT: THE ACCORD DESERVES OUR SUPPORT

(By Alton Frye)

Cynics say it is a typical American failing to know the price of everything and the value of nothing. This human frailty is serious enough in the routine exchanges of everyday life. In the great transactions of international politics, the tendency can be fatal to the most enlightened and essential undertakings.

The point comes to mind because of the surprising reaction in some quarters to the historic Nixon-Brezhnev agreements to limit strategic arms. The general enthusiasm for this momentous breakthrough in the Strategic Arms Limitation Talks (SALT) has been tempered not only by grumblings on the far right but by the disturbing response of a few respected commentators and congressmen.

Crosby Noyes alleges in The Star that the agreements give Russia nuclear "superiority on a silver platter." Seeking to ward off unjustified euphoria, The Wall Street Journal wonders whether the accords should be approved "anytime during a presidential campaign." Paul Warnke terms the agreement to limit offensive weapons "slightly worse than none at all," although he warmly endorses the ABM treaty. Sen. Henry Jackson, D-Wash., reserves his final judgment on the understandings, but blasts the "comic opera" procedures in Moscow and charges that the agreements give the Soviets "more of everything."

These are thoughtful and knowledgeable observers. Their opinions will carry weight with many of their fellow citizens. But close analysis reveals that the hasty critiques of the SALT agreements share a common fault: They are preoccupied with short-term balances which are totally inadequate to measure the long-term investment in mutual security which the United States and the Soviet Union have now made. And even in gauging the short-term balances, they badly misread the ledger written in Moscow. In effect the early criticisms of the Moscow summit overstate the price and understate the value of what was done there. Let us see why this is so.

THE CONTEXT OF SALT I

In 1970 the Senate urged President Nixon to make a freeze on further deployment of strategic weapons the first priority of the SALT negotiations. While a freeze then would have set somewhat lower and more advantageous ceilings, the Moscow agreements contain a reasonable approximation of this objective—which was recommended by an overwhelming majority of senators.

The proposed treaty limits anti-ballistic missile deployment to no more than two sites with a maximum of 100 defensive missiles each, a force totally insufficient to weaken the credibility of either side's capacity to retaliate and hence to deter war. The interim agreement on offensive weapons halts ICBM deployments at the existing levels (about 1,618 on the Soviet side and 1,054 on the American) and limits modern submarine-launched missiles (SLBMs) to those now operational and under construction (710 on the Soviet side and 656 on the American).

Unnecessary confusion has grown out of the provision permitting conversion of some land-based missiles into sea-based weapons; briefly put, the Soviet Union can build to a total of 950 missiles on submarines but only if it phases out 240 launchers already deployed, i.e., if it actually reduces its land-based force to 1,400 missiles or so.

In sum, the ceilings provided in the interim agreement would permit the Soviets to deploy up to 2,350 long-range missiles on land and sea, compared with a total of 1710 for the United States. It is the starkness of this numerical contrast which suggests, at first glance, that the United States accepted less equitable terms than it should have demanded.

But these gross figures do not reflect the crucial dimensions of the strategic bargain struck at SALT. Imbedded in that bargain are other commitments and detailed restraints which leave little doubt that the outcome of SALT is a decisive turn toward greater security. It is remarkable how far these understandings go toward fulfilling the U.S. conceptions of the requirements of strategic stability.

The United States sought explicit confirmation that mutual deterrence would be the basis for erecting a stable balance. The Soviets agreed. By curtailing ABM deployment, both sides have ratified the principle that mutual deterrence depends on mutual vulnerability. They may not welcome the condition of reciprocal terror, but they recognize the fact and acknowledge that neither has yet conceived a safe way to alter it.

The United States sought explicit acceptance of the de facto "open skies" arrangements, through which satellites keep each side appraised of the other's strategic inventory and innovations. The Soviets agreed. By committing themselves to avoid interference with observation satellites and other verification techniques, and by foregoing deliberate measures to conceal strategic capabilities from observation, the two countries have installed a necessary building block for confident progress on more substantial arms arrangements.

The United States sought to test Russian acceptance of the principle of mutual deterrence by demanding that the overall freeze include a firm limit on the gigantic SS–9 class missile, weapons which have perplexed U.S. planners because of their potential capacity to destroy American missile silos. The Soviets agreed. The interim agreement suppresses the number of supersize boosters to around 300, a level well below the danger point calculated by the Department of Defense.

The United States insisted that the freeze cover ballistic missile submarines, since the Soviet Union has been building such systems at a rapid clip (eight or nine a year) while the United States in the next five years will add no subs to the 41 it now has in service. In a decision critical to the success of the negotiation, the Soviets agreed. Without such a limit, the present building rate would have given the Soviets more than 80 missile-launching submarines by 1977, just as their present pace of ICBM construction would have produced by that year a land-based force alone in excess of 2,800 missiles.

The blunt truth is that no U.S. effort, even on a crash basis, could have matched this Soviet rate, launcher for launcher and boat for boat, during the five years governed by the interim agreement. The interruption of the massive Soviet building program is a stupendous gain to American security and international stability.

Any genuine negotiation must produce movement toward accommodation by both parties. One can only gain a distorted picture of the process by focusing exclusively on the concessions made by one side. Yet some commentators have done precisely that, implying that the United States has been too eager in conceding presumed advantages to the Soviets. As a partial corrective, one ought to understand the numerous and substantial concessions made by Moscow in its determination to promote a mutually acceptable balance.

The foremost issue on which the Soviet Union yielded is one which casts an utterly different light on the gross balance in ICBMs and Strategic Land-Based Missiles. At the outset the Russians had insisted with considerable justification that a fair definition of "strategic weapons" would include all systems capable of delivering a nuclear attack on the homeland of the other party. In order to facilitate a preliminary understanding they reluctantly agreed to treat only long-range missiles, excluding not only the U.S. strategic bomber fleet of about 460 planes but also the enormous number of forward-based systems maintained by the United States in Europe and on aircraft carriers.

These latter types of weapons are unique to the United States, in the sense that Moscow has no true carriers and no forward bases from which to mount a strike on this country with tactical fighter-bombers.

What this means is that the Soviets have granted the Americans at least for the short run, *more than 2,000 additioncl aircraft* capable of devastating all of the Soviet Union west of the Ural Mountains. Furthermore, the U.S. B–52s are being modernized with the Short-Range Attack Missile (SRAM) which will vastly increase the lethality of the force; each plane can carry 24 such missiles. And, expensive though they are, the B–52s have

demonstrated over Haiphong in recent days that they can survive and function in the densest anti-aircraft environment yet tested in combat.

Those who are tempted to toss off the significance of the Soviet concession on this point should ask themselves how we would view an understanding which left the Russians with a free and unrestricted ride on more than two thousand delivery vehicles, each one of which is quite capable of demolishing any city in the United States. Had the Soviets been adamant in demanding immediate limits on forward-based systems—which play a dual conventional-nuclear role in the NATO posture—SALT could well have collapsed.

Clearly, SALT II and the coming conferences on European security will face hard and complex negotiations on these systems and similar Soviet weapons targeted on Western Europe, including particularly the several hundred Soviet intermediate- and medium-range ballistic missiles.

Another factor is central to evaluating the simple numbers of launchers controlled by the interim agreement. The superficial Soviet advantage in numbers and sizes of missiles is paired against a staggering American advantage in deliverable warheads. Roughly described, the Soviets will have a three to one lead in "throw-weight" or megatonnage, while the United States will have a three to one lead in warheads.

The ongoing U.S. deployment of Multiple Independently Targetable Re-entry Vehicles (MIRV) on both Minuteman III and Poseidon missiles is sure to maintain that advantage for the period of the agreement; the U.S. warhead inventory may well exceed 10,000 by 1977.

Having flight-tested no MIRV system to date, the Soviet Union can hardly convert its throw-weight advantage into a warhead advantage during these years. Even if they successfully develop MIRV technology, only the larger Soviet missiles look promising as MIRV platforms, and it is not realistic to expect a complete replacement of their existing missile force with MIRV-capable boosters. Judgments may vary, but no one can doubt that Soviet acceptance of continued U.S. MIRV deployment represents a concession of the first magnitude.

The tough Soviet delegation made other adjustments in its original positions, as did the American team. The illustrations here suffice, however, to highlight the fact that SALT I began an important learning process for both sides and persuaded each that its own security required realistic consideration of the other's security needs. There were no one-sided or disproportionate concesssions.

PRECLUDE TO PARITY

One can only appraise the achievements of SALT I by examining the agenda for SALT II, the second phase of the negotiations which is expected to begin later this year. The true worth of the ABM treaty and the five-year missile freeze lies in what President Nixon has rightly termed the "unparalleled opportunity" they create.

Critics may damn the frenetic atmosphere surrounding the last hours of diplomatic activity, although the issues resolved in those final moments were relatively marginal ones on which the options had been thoroughly explored in advance. Arms control advocates may lament the tardiness and scope of the strategic freeze. Yet the delay in setting the freeze may prove invaluable, because the long and methodical diplomacy preceding it has engendered a degree of mutual confidence which is indispensable to further steps toward reinforcin strategic stability. SALT I has made the cautious decision; the time is at hand for bolder action.

The tight limits on ABM have virtually removed the threats to stability which might arise from defensive deployments. The pressing need now is to curb the instabilities which might arise through offensive deployments threatening the survivability of either side's deterrent weapons. Ambassador Gerard Smith stressed this point on May 9 when he told the Soviet SALT delegation that the follow-on negotiations should seek "to constrain and reduce on a long-term basis threats to the survivability of our respective strategic retaliatory forces." Both countries well understand that, unless progress is made on this front, the ABM limits may not endure.

Two central threats loom on the offensive side of the equation: (1) Highly accurate, multiple warhead systems which could destroy land-based ICBM silos, and (2) developments in anti-submarine warfare (ASW) capabilities which might jeopardize the sea-based forces.

The logic and the structure of the ABM treaty open promising possibilities for coping with these problems. The prohibition of extensive defenses greatly simplifies the deterrent problem. No feasible attack could destroy all of either side's retaliatory weapons; even a small fraction of surviving, single-warhead systems would be able to deliver unacceptable damage to an attacker.

Thus, there is no longer any need for the United States or the Soviet Union to retain the option of MIRVing its boosters, since MIRV is superfluous to deterrence in a situation where there are no defenses to penetrate. Indeed, in the new strategic environment the effect of MIRV systems is not to bolster deterrence by hedging against a non-existent ABM system but to weaken it by posing a threat to the survivability of land-based ICBMs. Thus, in light of the guiding standard of stable deterrence, both sides should perceive their common interest in seeking a ban on MIRV systems.

The potential centerpiece of SALT II could well be a trade of the U.S. MIRV systems now in deployment for a comparable number of Soviet missiles, including the gigantic SS–9s which have caused such consternation. Land-based forces might be phased down to 500 single-warhead systems, while the U.S. Poseidon fleet could be converted to single warhead systems.

The Soviets have been reticent about entering a MIRV limit until they perfect the technology, but skillful diplomats should be able to underscore the advantages Moscow would reap by foregoing MIRV development in return for a suspension of U.S. MIRV programs before they are fully deployed and refined to pinpoint accuracies. The President has stressed that U.S. MIRV systems are intended exclusively for retaliatory purposes, but the Soviets must realize that unrestricted testing in the future may push the technology to such precise delivery accuracies that even relatively small U.S. warheads would jeopardize hardened missile silos. That prospect is still some years away, but only concerted measures to inhibit MIRV testing and deployment can guard against it.

Each side clearly has a greater interest in persuading the other not to deploy MIRV than it has in deploying such systems itself? So long as the United States persists in its own MIRV deployment, it cannot hope to induce the Soviet Union to refrain from similar weaponry. There is a powerful case for the United States to slow its MIRV programs and to offer SALT II a chance to devise mutual restraints on this provocative and unnecessary technology.

MIRV is the principal qualitative innovation which might undermine the quantitative limitations sketched by SALT I. Henry Kissinger has intimated that "questions of technological change" will be addressed in SALT II. The ABM treaty not only facilitates such an effort: it offers vital precedents, for it specifically establishes a number of qualitative limits on defensive systems. Under the treaty, development, testing and deployment of rapid-reload launchers and multiple-interceptor launchers are banned. Sea-based, air-based, space-based or mobile ABM components are ruled out and radars are strictly controlled in numbers and characteristics. Test activities are restricted to designated ranges and the upgrading of anti-aircraft systems is closely regulated.

All of these controls deal with qualitative features of defensive systems. Parallel controls applied to offensive systems and monitored by the highly effective means planned for the ABM treaty could provide a strong barricade against destabilizing modifications of offensive missiles.

A sensible course would be to limit future missile tests to perhaps 10 or 20 a year, and to specify that there be no testing at all of multiple warheads or penetration aids. To convince the Soviet Union that the United States actually eliminates its existing MIRV boosters should pose no difficulty. Satellites could monitor the destruction of Minuteman III silos, just as they could the SS–9 and other complexes.

In the radically altered setting of joint planning for mutual security, it is conceivable that the two side can agree to more intimate inspection to guarantee that Poseidon and analogous Soviet missiles are carrying only single warheads. The exchange of technical information and crew training arrangements for the proposed joint space venture afford encouragement that the ancient shrouds over the advanced technology of both sides may now be partially removed.

Even without local inspection, however, a stringent prohibition against testing multiple payloads could be verified reliably; since neither side could maintain MIRV systems and crews without frequent operational tests, this kind of ban would provide high confidence that neither was retaining such weapons. Elimination of large "MIRV-able" boosters would mean that any clandestine work on a Soviet MIRV would be futile, since there would be no significant force to carry such payloads.

In short, having forestalled the instabilities that might flow from large-scale ABM deployment, the two powers could drastically reduce the potential instabilities on the offensive side by precluding MIRV systems. And such a measure could be enforced through precisely the kinds of test constraints they are relying on to verify compliance with the ABM limitations.

ANTISUBMARINE WARFARE

If limits on MIRV would enhance the survivability of the land-based deterrent, there is comparable value in measures to reduce the likelihood that sea-based forces will become vulnerable. This suggests that SALT II should give intensive study to controls over anti-submarine warfare capabilities.

A first and urgent goal would be to limit the number of hunter-killer submarines and other ASW forces to levels consonant with the maximum survivability of the SLBM fleets. It may be helpful to constrain certain undersea surveillance systems, since the invulnerability of the subs hinges directly on their ability to evade detection. One important possibility would be to carve out sizeable areas of the oceans as SLBM sanctuaries in which no ASW forces would normally intrude.

A third major objective of the coming phase of arms control discussions ought to be a comprehensive ban on nuclear weapons tests. There is growing confidence that national means of verification can monitor such an agreement and the administration is actively considering the proposal. By inhibiting further refinement of warheads for either offensive or defensive missiles, an end to underground nuclear tests could contribute markedly to other efforts to prevent destabilizing breakthroughs.

In weighing these and other options for SALT II a cardinal rule of systematic arms control comes into play. It is extremely helpful to have a broad and diverse set of reinforcing agreements, the violation of any one of which would be insufficient to destabilize the balance—but quite sufficient to indicate that one or the other side was acting in bad faith. Conversely, compliance with a number of interlocked arrangements would testify powerfully to the continued dedication of the partners to the common interest enshrined in the agreements.

As the two countries approach SALT II, they face a special hazard. Both sides may be so busy hedging against possible violation of the first accords—by all-out programs to modernize their allowable missiles, submarines, and bombers—that they will lose sight of the unprecedented chance to reduce their need for such hedges.

President Nixon has won some vindication for his thesis that he needs on-going strategic programs to gain bargaining leverage in the negotiations. But it would be tragic indeed if that proposition were taken to warrant full-speed ahead on a host of possibly superfluous programs. That tragedy can only become more likely if the administration feels compelled to defend the agreements of SALT I by buying off its critics with promises of major new weapons.

The United States certainly will wish to continue gradual improvements in its arsenal, but SALT I justifies a moderate, not an accelerated, pace in this realm.

From the diplomatic standpoint, it is fortunate that the planned modernization efforts take time; for example, the Soviets could not reach their potential ceilings on SLBM deployment for several years. The U.S. Trident SLBM system would not go on station until late in the decade and the B–1 bomber, if approved, is some years away from operation. There is ample time to use them as bargaining chips, and absolutely no necessity to become wedded to them before diplomacy determines whether both sides can safely content themselves with lower hedges against some hypothetical future attempt to upset the equilibrium.

The imperative task now is to sustain the momentum toward a reliable system of mutual security, a momentum which will be seriously threatened if either nation embarks on the campaign to pacify domestic criticism by intensifying the qualitative arms race.

Nothing Richard Nixon has done speaks so well of his judgment and his courage as the beginning he has made on strategic arms limitation. If SALT II is to fulfill the immense promise of SALT I, the president's diplomacy needs—and deserves—the confidence of the Congress and the country. He has earned it.

[From the Washington Post, Aug. 17, 1972]

BACKWARD OR FORWARD?—PROMISE OF SALT: WHAT'S HAPPENING?

(By Chalmers M. Roberts)

Less than three months ago Richard Nixon and Leonid Brezhnev signed their names to "basic principles of relations" between the two superpowers, a sort of codification of the President's pledge that the United States would move from "an era of confrontation" to an "era of negotiation." The Nixon-Brezhnev "principles" included a statement that "differences in ideology and in the social systems" are not a bar to normal relationships, that both nations "will always exercise restraint in their mutual relations" and that both recognize they should eschew "efforts to obtain unilateral advantage at the expense of the other, directly or indirectly."

Three days earlier the two leaders had signed the strategic arms limitation (SALT) agreements. In assessing the Soviet-American atmosphere at the end of the Moscow summitry Henry Kissinger remarked that "I think trust has developed but not the point that it could survive a major challenge that one side would put to the other that affects its own estimate of its vital interests."

It is against this background, it seems to me, that one should assess the Jackson amendment to one of the two SALT pacts, that limiting offensive weapons. The fate of the amendment is far less important that what the discussion of it disclosed about the post-summit attitudes in Washington. The same is true of the related new, more accurate and more powerful American missile warheads that the administration has requested. Like a summer lightening storm the discussion suddenly illuminated the landscape in this capital, both in the Senate and in the White House and elsewhere in the executive branch.

"Confrontation" and "negotiation" are not, of course, mutually exclusive and that is just as true in Moscow as in Washington. Mr. Nixon last July 27 said that "the decision with regard to the SALT agreements involved a fight between the hawks and doves" in his own administration. On July 15 Kissinger remarked at a congressional briefing that during the SALT negotiations "we were acutely conscious of the contradictory tendencies at work in Soviet policy"—in other words, the hawk-dove problem in the Kremlin.

In asking both for congressional approval of the SALT pacts and for money for the Trident submarine and B–1 bomber programs the President said Brezhnev and his colleagues "made it absolutely clear that they are going forward with defense programs in the offensive area which are not limited by these agreements." Soviet sources in a position to know about those conversations, however, contend that Mr. Nixon's version stretched Brezhnev's remarks for his own purposes. But American sources, equally in the know, contend Brezhnev left no doubt about what Mr. Nixon said he said. Jackson commented that he was "disturbed by the report of the President" on Brezhnev's remarks.

What the Jackson amendment affair plus the revelation of the new missile warhead program demonstrates is the limited meaning being applied by the Nixon Administration to the Moscow "basic principles of revelations" and that we can expect to see a lot more "confrontation" along with future "negotiation." Indeed, the "trust" about which Kissinger spoke seems close to nonexistent.

Jackson made his own motivation clear enough. He considered the offensive weapons agreement put the United States at a disadvantage and he used the amendment device to lock the administration into a SALT II posture of accepting nothing less than what he termed "a restoration of parity." The gloss he supplied on what constitutes "parity" made it clear he meant what those Americans who negotiated the agreements and many others consider old fashioned "superiority." What Jackson could not do by direction—defeat the agreement in the Senate—he sought to do by indirection—tie the administration's hands in the negotiations ahead that are designed to turn the five year agreement into a permanent treaty.

The Kremlin reaction to all this is unclear but not difficult to imagine. Quite probably the Moscow hawks have gained a point in their continuing suspicion of arms agreements with the United States. Whatever chance there was for both Washington and Moscow to exercise mutual restraint by not doing what they legally could do within terms of the SALT pacts has been diminished.

The history of the action-reaction phenomenon in the Soviet-American arms race clearly indicates that the dominant pressure in both capitals is to build those arms not forbidden by agreement out of fear that the other side will do so to its own advantage.

The tragedy is that the long history of the Cold War, of Soviet-American ideological differences on top of clashes of national interest, makes mutual restraint exceedingly difficult to achieve. As Jerome H. Kahan of the Brookings Institution put it to the Senate Foreign Relations Committee on June 28: "In theory, both nations ought to exercise unilatera restraint and pursue purely stabilizing strategic policies. But experience shows that neither nation has taken such initiatives."

The promise of SALT was more than just the important limitations for the first time on both offensive and defensive strategic weapons. The hope of Mr. Nixon's Moscow visit, in Kissinger's words, was that it would "mark the transformation from a period of rather rigid hostility to one in which, without any illusions about the differences in social systems, we would try to behave with restraint and with a maximum of creativity in bringing about a greater degree of stability and peace." Hence the language of the "basic principles" signed in Moscow. Hence Mr. Nixon's remark in his address to Congress that his Moscow and Peking trips had done away with "the kind of bondage" of which George Washington had said: "The nation which indulges toward another in habitual hatred is a slave to its own animosity."

In this larger context both the Jackson amendment and the new missile warhead program represent backward, not forward, steps.

JUNE 6, 1972.

From: Rep. CRAIG HOSMER, Chairman, GOP Task Force on Nuclear Affairs.

To: Members of Congress.

Subject: SALT—ABM Treaty and Offensive Weapons Interim Agreement.

It is generally conceded that America and Russia cannot risk attacking each other because their nuclear arsenals are sufficient to withstand surprise attack and still have enough undamaged retaliatory hardware left over to pulverize the aggressor.

President Nixon and Premier Brezhnev believe it is in the self-interest of their respective countries to perpetuate this condition of *mutual deterrence* based on *nuclear sufficiency*. The proposed SALT Treaty limiting defensive antiballistic missile systems and its accompanying interim agreement limiting certain offensive weapons was designed for this purpose.

The rationale of the ABM limitation is obvious. Each new ABM built by one side can be nullified by the other's new offensive installation. It is in nobody's security interest to spend money for that kind of an arms race only to end up poorer, but no safer than before.

The logic of allowing the Soviets a lopsided number of offensive missiles and submarines is obscure if quantity alone is considered. It emerges clearly, however, when other factors relevant to assessing the kill power of these two nation's strategic nuclear arsenals are taken into account. These include the following:

The actual number of nuclear warheads in the U.S. deterrent package considerably exceeds those of the Soviets because of our many multiple independently guided reentry vehicles (MIRVS);

The greater accuracy of the U.S. warheads gives them a proportionately large will capability, ample for nuclear sufficiency;

U.S. allies and near allies possess substantial strategic deterrent forces which augment the Free World's overall deterrent posture;

The arrangement impose no limitations at all on certain U.S. systems contributing to our deterrent strength, such as SAC bombers and U.S. aircraft based overseas on land and on aircraft carriers;

"Sufficiency to deter" is something in the mind of the beholder and when one side fields a mix of bombers, ICBMs and SLBMs with which it is satisfied, the other side would need to assume very large and unknown risks of miscalculation in order to assess it as "insufficient"; and

What are inside the strategic systems, how good they are now and how they may be qualitatively improved are not covered by the arrangements, leaving the parties in exactly the same circumstances, whatever they are, as before.

Provision for verification by such party's own intelligence apparatus involves minimal risk, since the arrangements are cast in terms of items which reasonably can be monitored by satellite photography and similar means.

The foregoing and many additional calculations undoubtedly influenced President Nixon's determination that the agreements are worthwhile and that their terms involve neither undue risks to United States security nor disproportionate advantage to the Soviet Union.

In making his decision the President also must have totalled the quite large costs of the superpowers taking no steps at all toward arms control against those involved in the limited agreements he made in Moscow. No person better knows these costs than he and his judgment deserves great respect.

To assure that the arrangements do not grow lopsided by the passage of time, Congress must support the President's R&D requests for the TRIDENT submarine program, the B–1 bomber and other improved strategic systems.

Mr. NIX. Mr. Chairman, I rise in support of House Joint Resolution 1227. In doing so I am conscious of the extreme seriousness of the subject matter included in that resolution. The resolution gives the approval of this body to an interim agreement between the United States and the Soviet Union with respect to the limitation of strategic offensive arms. This agreement was reached after several years of difficult negotiations between the two Governments.

I well know, as do my colleagues, that the American people are intensely devoted to the support of any measure that will reduce the possibility of a nuclear war. At the same time there is an understandable uneasiness that any agreement made with the Soviet Union may be the matter of evasion that will only leave us in a more disadvantageous position.

The committee hearings on this resolution were most informative. Based on the testimony of the witnesses it is easy to see that we can get into a "numbers" game—who has how many of what? Certainly the protracted debate in the other body gives support to this approach.

It is well that we keep in mind a few basic points. First, our negotiators believe we have ample means of verification of Soviet compliance. Second, while some of the "numbers" may show the United States to be lagging, one must consider the quality of our weaponry and the fact that no limitations are placed on strategic bombers. Third, this is an interim agreement of 5 years duration. During that period it is expected that the negotiators will continue to wrestle with more difficult issues. Fourth, as the distinguished chairman of our committee has told the House:

This agreement is a first step toward checking the arms race. It enhances the security of both sides, while promising relief from costly weapons programs.

My support for this agreement is tempered by a realization that the millennium has not arrived. We still have to maintain an adequate arsenal of weapons that will assure us a strong strategic posture. In this imperfect and often irrational world we have struck the best bargain we can at this time. We must be as persistent in guarding our own security as we are in pursuing further negotiations on this complex problem.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That acceptance by the President for the United States of the aforesaid interim agreement and the associated protocol is hereby approved.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The CHAIRMAN. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment in the nature of a substitute: Strike all after the resolving clause and insert in lieu thereof the following:

"That the Congress approves and authorizes the President to accept on behalf of the United States the Interim Agreement Between the United States of America and the Union of Soviet Socialist Republics on Certain Measures With Respect to the Limitation of Strategic Offensive Arms and the Protocol related thereto, signed at Moscow on May 26, 1972, by Richard Nixon, President of the United States of America, and Leonid I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union."

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask the chairman of the Foreign Affairs Committee a few questions about this treaty. Before I do that, I think it is worthy to note that it is the height of irony that yesterday we spent 12 hours in a very crowded Chamber, almost until 2 o'clock this morning, debating the question of whether or not children shall be bused in this country. Yet, today, on perhaps the most important matter to ever come before this Congress, we find only 40 Members on the floor, and we are going to spend only 1 hour in discussion. If we are wrong on this treaty, we may never be around to know it. I pray this will not be a nuclear Yalta. Apparently a large number of people in Illinois are similarly apprehensive about the agreement. A statewide survey on how people felt about this agreement shows some revealing attitudes. In answer to the question:

An executive agreement limits U.S. offensive missile capacity to 1,054 Intercontinental Ballistic Missiles and 41 missile firing submarines, while Russia shall be permitted to develop her strength to 1,618 ICBM's and 42 missile firing submarines. Do you approve?

So far as I know, this is the only survey that I have seen any place on this agreement. I have not seen any Harris polls or Gallup polls, but with 102 counties in Illinois responding, 69 percent of the people said, "No," and 31 percent said, "Yes." The only justification I might have to support this agreement is because on another question, the last question of the survey, I asked:

Despite any shortcomings, do you believe these agreements should be approved by Congress as the first step toward nuclear arms control?

Eighty-one percent said, "Yes," and 18.9 percent said, "No."

What this indicates to me is that the people of Illinois have reflected how deeply concerned they are about the executive agreement, but still feel that we ought to approve it to take that first step toward nuclear control. This is an understandable attitude and does not constitute a contradiction. The people do not like the agreement in its present form but likewise do not want to impede at least a start toward nuclear control.

It is for this purpose that I rise now.

I might be persuaded to support the agreement but I should like to know first from the chairman of this committee whether or not if the other body adopts the Jackson amendment, which would substantially strengthen the executive agreement—and it is my understanding that the other body does have the votes to do this—what is going to be the attitude of the House conferees in accepting the Jackson amendment which is going to strengthen this agreement?

I should like to ask the gentleman from Pennsylvania, (Mr. MORGAN), what is his position on this?

Mr. MORGAN. Mr. Chairman, I know how the gentleman feels about the amendment of the Senator from Washington as set forth in his remarks which he inserted in the RECORD the other day. It is possible that this amendment would strengthen the interim agreement.

If the House passes the resolution which is now before us in the form recommended by the Committee on Foreign Affairs, it would be my duty as chairman of the House conferees to defend the position of the House.

I would be amenable, if the other body passes the Jackson amendment, to consider a compromise if we feel that it will strengthen the position of the United States in our future negotiations with the Russians.

Mr. PUCINSKI. Mr. Chairman, I had intended to offer the Jackson amendment here, and I believe our colleagues from New York has similar ideas, but at the request of the Senator who is leading this fight in the other body, we will withhold here, with the assurance from the chairman of our conferees that indeed if this amendment is agreed to in the other body to strengthen the entire executive agreement, the House will accept this amendment.

Of course, we will at that time have a vote on the conference report.

Mr. MORGAN. Of course, we cannot do that. The gentleman knows that we

cannot commit ourselves to language that has not yet passed the Senate. I have to consider the fact that many Members of this House feel differently than the gentleman from Illinois, and feel that the amendment of the Senator from Washington does not strengthen the agreement. Of course, we will be bound by the way the resolution comes out of the Committee of the Whole here today. I cannot give you any assurance that this House is going to accept an amendment that is now pending in the other body.

As the Members know it is possible that the first vote in the other body may be on a motion to table the Jackson amendment. The gentleman cannot be sure that the amendment is going to be adopted in the other body. I would rather wait until we pass the House bill and then make my decision as to the position to take when we go to conference.

Mr. PUCINSKI. I certainly hope the House will adopt in its final form the amendment suggested by Senator JACKSON because, as has been quite properly pointed out by the gentleman from New York (Mr. STRATTON), there are a great many loopholes in this amendment.

I believe those of us who insist on strengthening the agreement do so from our experience in dealing with the Communists and their deception.

I am willing to vote for the agreement now but reserve the right to vote against the conference report if the Jackson amendment is not included in the final bill.

Mr. STRATTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to reiterate a couple of points with respect to some of the loopholes that exist in this agreement that I referred to, briefly, a moment ago. The most obvious danger, of course, is that with the Soviet Union having 1,643 ICBM missiles to our 1,054, they could conceivably in the next 5 years MIRV those missiles and, then, with the greater throw-weight of their individual missiles compared to ours, they would have at hand a very much greater number of more powerful warheads that could knock out our own deterrent missiles right in their silos.

One of the things the Jackson amendment says is that anything that occurs during this 5 years that threatens the credibility of our deterrent forces could be a reason for breaking the agreement. Do we not have to be alert to this possibility as a matter of just plain commonsense?

The Soviets also have a substantial number of cruise missile submarines and we do not have any. What is serious about this? Well, the cruise missile has a nuclear warhead. It has a range of only 300 miles but that still brings its destructive power within range of almost every major city on the east coast, the gulf coast, and the west coast. The missile could come in at a fast speed, and at low altitude, below the radar, and it could destroy Washington, New York, or even New Orleans before we knew much about it.

Those cruise missile submarines are not even in the agreement and it is a serious error and something we must be concerned about. And I am also worried about the ambiguities, and this is a matter which the Armed Services Committee had an opportunity to explore at some length with Ambassador Gerard Smith and with Mr. Nitze. As I said earlier, the printed agreement actually deals with numbers of missile launchers, not the missiles themselves. The things that are controlled under the agreement are the numbers of missile launchers each side has, not the number of missiles we put in these silos.

Also it is agreed there cannot be any substantial increase in the size of these missile launchers, because, of course, a bigger launcher can fire a bigger, more destructive missile. Now what do they say is a "substantial" increase? They say 10 percent to 15 percent. That sounds simple enough, but the important thing on the missile launcher is the volume, and that is πr^2 times the depth of the silo. In other words, the radius and diameter of the missile launcher are what determine the volume. And if just one of those dimensions is increased by 15 percent, the volume goes up by 32 percent, a one-third increase.

But if Members will read the text carefully, it says we cannot increase the "dimensions" by more than 10 to 15 percent. So, suppose we were to increase both the radius by 15 percent and the depth by 15 percent. Do Members know how much that increases the volume of the silo by? By 52 percent.

And it is interesting in the interim agreement hearing that there is only a statement by the American negotiator who says that he believes that agreement means that only one dimension can be increased but not both. But there is no indication that the Soviet representative ever went along on that interpretation. And a 52-percent increase in the volume of the silo is the difference between our new Trident missile and the current Poseidon missile which we now have in our inventory. It is obviously a quantum jump increase, and not just an "insubstantial" increase that we may have agreed to permit.

This is the kind of ambiguity Senator JACKSON is concerned about and it is an ambiguity we ought to be concerned about. Although it has not been passed in the other body, my information is, as the gentleman from Illinois said, that the Jackson amendment will pass the other body, and I think if it does pass the other body then we ought to accept that amendment here, because all it says is that we in Congress do not want to see a situation develop, as a result of this agreement, where our deterrent force, the Minutemen missiles at Grand Forks and elsewhere, would be jeopardized and vulnerable to destruction even in their hardened silos.

Second, it urges that when we sit down for a phase 2 SALT agreement, let us not build a treaty that will allow the other side to expand much more rapidly than we expand. Let us shoot instead for equality. I think we need to get that into the ultimate resolution of approval in order to have some chance for real security.

Mr. BENNETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of House Joint Resolution 1227. It is difficult and dangerous to wage efforts in war and it is difficult and dangerous to wage efforts in peace. At the present time, the national defense strength of the United States is the greatest single contributor to the objective of peace, but no stone should be left unturned in an effort to pursue all other feasible and prudent efforts to maintain peace.

When the two strongest nations on earth, the United States and Russia, agree to limit their arms in a fair and proper manner, this would seem to be a way in which peace might be enhanced. Therefore, I congratulate the President on his efforts as represented by the resolution now before us and I sincerely hope that they will have the result of lessening tensions in the world and securing a better chance for peace for the future of mankind.

There are, indeed, things about the agreements which have taken place which could turn out wrong, but on balance what has been agreed to, when the safeguards are considered, seems to me to be a thrust toward lessening tensions and increasing the chances of peace. For these very simple reasons I support the resolution before us.

Some have cautioned that there has been an inequality in what has been agreed to and I raised such points in the discussions of this measure before the House Armed Services Committee and received reassurances that if circumstances would arise, such as the discovery and implementation of the MIRV system by the Russians, this would be grounds enough for new talks and ultimate unilateral action by the United States to cancel the agreements if this were found to be a matter of danger in retaining a proper balance. This has reassured me relative to the propriety of endorsing the President's actions in this matter at this time.

It is obvious to me and I think to everyone that, when the ultimate and final agreements are arrived at, there should be more clearly a balance favorable to the United States in any ultimate arrangements that are made with regard to offensive and defensive weaponry. But for the time being with the reassurances which have been received, the effect of these agreements has been to cool the tensions and limit the tremendous buildup which was apparently already under way in Russia in the direction of seeking massive superiority over the United States in arms. The thrust that these papers make toward cooling this buildup justifies the present action.

On January 6, 1960, I introduced a bill to create a national peace agency and eventually this formed the basis of legislation enacted by Congress in the creation of the Arms Control and Disarmament Agency. This Agency has been handling the SALT talks and making efforts to assure us that any agreements arrived at are in the direction of the security of our country and the attainment of peace in the world.

The enactment of the Arms Control

and Disarmament Agency left unenacted portions of the original legislative proposal which I believe still have merit and which are now pending before Congress in my H.R. 585. I include herein the provisions of this proposal, H.R. 585, and I hope Members of Congress will consider this legislation and seek to make improvements on it and to enact its provisions in the not-too-distant future:

H.R. 585

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "World Peace Agency Act."

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to establish an independent agency within the Department of State which will not establish policy but will do research on problems related to achieving peace, including an examination of the economic, political, and sociological causes of war and the development of techniques for the elimination or reduction of these causes.

CREATION AND FUNCTIONS OF THE UNITED STATES AGENCY FOR WORLD PEACE

SEC. 3. There is hereby established within the Department of State the United States Agency for World Peace (hereinafter in this Act referred to as the "Agency"). The Agency, shall, under the direction of the Secretary of State, undertake programs to carry out the purpose of this Act, including, among others, programs—

(1) for development and application of communications and advanced computer techniques for analyzing the economic, political, and sociological problems of nation states as they bear upon world tensions and tensions among states which might possibly result in conflict,

(2) for development of new analytic organizations to—

(A) apply the techniques of operations research to peace problems in the same way that "war gaming" is conducted for the military problems,

(B) conduct studies on alternative methods of achieving world peace,

(3) for support of studies and research on projects such as—

(A) legal aspects of national sovereignty extended to the space domain and freedom of the seas, insofar as they contribute to the possibility of war,

(B) analyses of the effects of world peace upon national economies, and

(C) analyses of economic, political and sociological problems which contribute to the possibility of war,

(D) analyses of the effects of military and economic aid programs on the attainment and retention of world peace,

(4) for research on educational techniques aimed at rendering underdeveloped nations less technologically dependent, insofar as their dependence contributes to the possibility of war,

(5) for research and development in problems of underdeveloped nations, insofar as they contribute to the possibility of war, in such areas as food production, conservation of mineral and water resources (including desalination of sea and brackisk water), practical power-generating systems, and medicine and health,

(6) for research in meeting adequately the tensions created by overcencentration of population in some areas and inadequate population in other areas of the world,

(7) for research into the effect of present foreign policies of the United States upon world tensions and alternative courses or policies which might promote peace or tend to diminish the possibility of both long-range and short-range tensions and conflicts, and

(8) for research into long-range goals of United States foreign policy which would promote the interests of the United States and world peace.

LABORATORY FOR PEACE

SEC. 4. The Director of the Agency shall establish in the Agency a Laboratory for Peace through which the Agency shall develop and administer its research and study programs. In carrying on such programs the Agency shall enter into contracts with educational and research institutions within the United States and abroad with a view to obtaining the benefits of scientific and intellectual resources, wherever located in the world.

POLICY FORMULATION

SEC. 5. The Director is authorized and directed to prepare for the President, the Secretary of State, and the heads of such other Government agencies, as the President may determine, recommendations concerning United States efforts for peace: *Provided, however,* That this Agency's powers are restricted solely to research and no action shall be taken by this Agency under this or any other law that will obligate the United States to undertake any policy or commitment, except pursuant to the treatymaking power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States.

RELATIONSHIP WITH OTHER AGENCIES

SEC. 6. The Secretary of State shall establish procedures designed to insure that the Agency will carry out its functions in close collaboration with the other agencies of the Federal Government, but without duplicating the efforts of any such agency or other agencies within the Federal Government. Such procedures shall also provide that information available to other agencies will be made available to the Agency, and shall prescribe other means by which other agencies of the Government may support the efforts of the Agency.

DIRECTOR AND DEPUTY DIRECTOR OF THE AGENCY

SEC. 7. (a) The Agency shall be headed by a Director who shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of $32,000 per annum. Under the supervision and direction of the Secretary of State, the Director shall be responsible for the exercise of all powers and the discharge of all duties of the Agency, and shall have authority and control over all personnel and activities thereof.

(b) There shall be in the Agency a Deputy Director, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate of $31,000 per annum, shall perform such duties and exercise such powers as the Director may prescribe. The Deputy Director shall act for, and exercise the powers of, the Director during his absence or disability.

ADMINISTRATION

SEC. 8. (a) In the performance of its functions, the Agency shall have the following powers:

(1) To make, promulgate, issue, rescind, and amend rules and regulations governing the manner of its operations and the exercise of the powers vested in it by law.

(2) To appoint and fix the compensation of such officers and employees as may be necessary to carry out such functions. Such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with the Classification Act of 1949.

(3) To accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible.

(4) Without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any State, territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution. To the maximum extent practicable and consistent with the accomplishment of the purpose of this Act, such contracts, leases, agreements, and other transactions shall be allocated by the Director in a manner which will enable small business concerns to participate equitably and proportionately in the conduct of the work of the Agency.

(5) To use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities. Each department and agency of the Federal Government shall cooperate fully with the Agency in making its services, equipment, personnel, and facilities available to the Agency, and any such department or agency is authorized, notwithstanding any other provision of law, to transfer to or to receive from the Agency, without reimbursement, supplies and equipment other than administrative supplies or equipment.

(6) To appoint such advisory committees as may be appropriate for purposes of consultation and advice to the Agency in the performance of its functions.

(7) To establish within the Agency such offices and procedures as may be appropriate to provide for the greatest possible coordination of its activities under this Act with related activities being carried on by other public and private agencies and organizations.

(8) When determined by the Director to be necessary, and subject to such security investigations as he may determine to be appropriate, to employ aliens without regard to statutory provisions prohibiting payment of compensation to aliens.

INFORMATION AND SECURITY

SEC. 9. (a) In order to promote the free flow and exchange of new ideas and concepts in the new technology of peace research and development, the Agency shall, so far as possible, have all research efforts of the Agency performed in subject matter not requiring classification for security purposes. Nothing in this Act shall be deemed to change or modify security procedures or to exempt personnel of the Agency from being required to obtain security clearance before obtaining classified information.

(b) The Director shall establish such security and loyalty requirements, restrictions, and safeguards as he deems necessary in the interest of the national security and to carry out the provisions of this Act. The Director shall arrange with the Civil Service Commission for the conduct of fullfield background security and loyalty investigations of all the Agency's officers, employees, consultants, persons detailed from other Government agencies, members of advisory boards, contractors, and subcontractors, and their officers and employees, actual or prospective. In the event the investigation discloses information indicating that the person investigated may be or may become a security risk, or may be of doubtful loyalty, the report of the investigation shall be turned over to the Federal Bureau of Investigation for a full field investigation. The final results of all such investigations shall be turned over to

the Director for final determination. No person shall be permitted to enter on duty as such an officer, employee, consultant, or member of advisory committee or board, or pursuant to any such detail, and no contractor or subcontractor, or officer or employee thereof shall be permitted to have access to any classified information, until he shall have been investigated in accordance with this subsection and the report of such investigations made to the Director, and the Director shall have determined that such person is not a security risk or of doubtful loyalty. Standards applicable with respect to the security clearance of persons within any category referred to in this subsection shall not be less stringent, and the investigation of such persons for such purposes shall not be less intensive or complete, than in the case of such clearance of persons in a corresponding category under the security procedures of the Government agency or agencies having the highest security restrictions with respect to persons in such category.

Mr. ICHORD. Mr. Chairman, I move to strike the last word.

Mr. Chairman and members of the committee, I rise to commend the gentleman from New York (Mr. STRATTON) for the remarks he has just made and to associate myself with his remarks.

I agree with the distinguished chairman of the Committee on Foreign Affairs. I believe that this agreement is in the interests of the United States of America.

I also agree with the President. I do not believe that either side won or that either side lost. It is in the mutual interest of both nations to stop the arms race.

At the same time, I believe we should recognize there are loopholes in the interim agreement, there are dangers inherent in the interim agreement. We must recognize that the United States of America by the agreement is frozen into a numerically inferior position for the 5-year period; 1,050 ICBM launchers on the part of the United States, 1,618 on the part of Russia; 710 SLBM launchers on 44 Polaris-type submarines, compared to 950 SLBM launchers on 62 Polaris-type submarines for Russia.

The only basis for justifying the signing of this agreement on the part of the United States is that we do have a technological lead and that the ongoing programs of Russia compared to our programs would eventually result in superiority on the part of Russia. So we have to maintain our technological lead, or the balance of power will definitely shift to Russia.

I would point out that there are limitations as to how far we can go in increasing our technology. There are limitations to improving reliability. There are limitations to improving accuracy.

So, Mr. Chairman, I am very happy to hear you state that you do look with sympathy upon the amendment of the senior Senator from Washington, because I believe we should be careful in any follow-on agreement to provide for numerical equality.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the chairman of the Committee on Foreign Affairs.

Mr. MORGAN. I thank the gentleman. I know the gentleman is a distinguished Member of the Committee on Armed Services, as was the gentleman from New York who has just spoken. I recognize that both of these gentlemen are well versed in the trends and the projections of our weapons procurement and military strategy.

The gentleman is well aware that in the year 1969 we closed out the production of weapons of these types. So, if we play the numbers game, it is really our fault that the Russians got ahead of us. If we had been in step with the Russians since 1969, we could now have more than 1,680 of the ICBM missiles now.

Mr. ICHORD. I did not mention MIRV but launchers.

Mr. MORGAN. Even in launchers since 1969 we have not kept pace with the Russians. They have been way ahead of us in their production. So in the numbers game we will not be able to keep pace with the Russians because we have not been in the production of launchers like the Russians have since 1969.

Mr. ICHORD. I am expressing concern, I would say to the gentleman from Pennsylvania, that the 5-year agreement may be used as a vehicle on the part of the Russians to catch up with us technologically. This is a danger, in that there are limitations as to how much farther we can go technologically.

Mr. MORGAN. This is only an interim agreement, and if SALT II comes up with a permanent agreement, I will be in agreement with the gentleman as to achieving strategic equality with the Russians.

Mr. ICHORD. Mr. Chairman, I yield to the gentleman from Virginia (Mr. DANIEL).

Mr. DANIEL of Virginia. Mr. Chairman, I rise in support of this agreement.

Mr. Chairman, I rise in support of the agreement. If this agreement is approved by the Congress, our Nation will have reached a way station on its long and difficult path toward peace.

According to information provided by the State Department, since World War II, the United States and the Soviet Union have together expended more than $2 trillion on weapons and armament—approximately $1.3 trillion by the United States, an estimated $1 trillion by the Soviet Union.

A trillion dollars defies comprehension. As an example, if you were to convert a million dollars to $1 bills, and starting at the city limits of Danville, in the Fifth District of Virginia, laid them end-to-end, you would run out of dollars somewhere near the Nottoway County line, in Congressman ABBITT's district between Danville and Richmond. If you converted a billion dollars to $1 bills, it would circle the earth four times at the Equator. And 1 trillion is a million times a million.

If preagreement trends continue, it is estimated that by the year 2000 an additional $5 trillion could be spent on weaponry.

Our defense spending has been diminished by budgetary restrictions; the U.S.S.R. is not so restrained. While we are currently spending about 8 percent of our GNP on defense, it is estimated the Soviet Union is spending in the range of 11 to 14 percent.

If we were to make a substantial unilateral reduction in strategic strength, as is urged in some quarters, our potential opponent—and it must be constantly borne in mind that Russia is a potential opponent—might lose incentive to continue at the bargaining table.

There is reason for some optimism, as a result of these agreements. Anything which results in a potential reduction of our expenditures for weaponry should be welcomed. There are many things this Nation might do with the billions of dollars which must be spent on defense under current world conditions, not the least of which is to reduce the awesome burden of taxation borne by all, and the additional burden of payment on the national debt, which in turn increases the potential threat for additional taxation and feeds inflationary pressures.

Our optimism must be tempered with recognition that, while this is a first step along the right path, it is not a leap to our immediate goal of world peace, for there are other, very important areas which are not covered by these agreements, such as intentions. Fundamental differences of philosophy between the powers remain strong. This is not a treaty of friendship, but a treaty for survival.

It is imperative for our survival that we maintain a relatively strong defense posture, so that we may continue to bargain from a position of strength. Unilateral disarmament is the sure road to national suicide.

Mr. ANNUNZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. PUCINSKI. Will the gentleman yield?

Mr. ANNUNZIO. I yield to my distinguished colleague from Illinois.

Mr. PUCINSKI. I appreciate my colleague yielding to me.

There is one thing that it is very important to point out in this agreement, and that is who signed it. This agreement, unlike any of the others in Moscow, is signed by Brezhnev. All of the others were signed by Podgorny or Kosygin. This one, however, was signed by Brezhnev. That is like having BOB DOLE sign it for the United States. We signed it through our constitutional head of the United States, the President. This agreement will be carried out on our part because the President signed it on behalf of the people of the United States, but in the case of the Soviet Union they had their Communist political boss sign the treaty for the Communist political party and not for the people of Russia. Therefore, all they have to do if they want to renege on this agreement is to fire Mr. Brezhnev.

And if you think I am wrong, when President Nixon arrived at the airport he was received at the airport by both Podgorny and Kosygin, and when the question was raised on the matter of why Brezhnev was not there the explanation was given both by the Soviet Union and by the American State Department that Brezhnev is not a part of the government. It would be against protocol for him to be there.

Now we are signing an agreement with

the chairman of the Communist political structure. They can just do away with that.

About the silliest explanation was given when Secretary of State Rogers was asked why we permitted this and why we are signing the agreement with Mr. Brezhnev rather than Mr. Podgorny. He said we do not like to interfere with another country and tell them how to run their business.

But we are signing a treaty with another country, Mr. Chairman, and perhaps it is the most important treaty and executive agreement in the history of this country. It would seem to me the administration should have insisted, if they really mean business and they are honest about this thing in Moscow, this treaty and this agreement on the part of the Government, they should have insisted on it being signed by Mr. Podgorny or Mr. Kosygin on behalf of the people of the Soviet Union and not by the Communist political boss of that country.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. ANNUNZIO. I have the time, and I am not yielding time.

Is the gentleman from Illinois finished?

Mr. PUCINSKI. I am finished.

Mr. ANNUNZIO. Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Ohio. Mr. Chairman, I rise in support of the agreement.

Mr. Chairman, I rise in support of House Joint Resolution 1227, Interim Agreement on Limitations of Strategic Offensive Weapons, and urge its passage—1972 has been an historic year in man's quest for peace, understanding, and cooperation among nations. President Nixon's journeys to Peking and Moscow signal a new era in our relations with our two greatest global adversaries. Despite 25 years of animosity, mistrust, and ambivalance, the three great powers have agreed to try the path of talking about our differences instead of fighting about them. I applaud President Nixon for his peace initiatives, especially this interim SALT agreement which can be the cornerstone upon which to build a full generation of peace. Perhaps the most significant aspect of this agreement is that it is a first step—a key to further dicussion of a more comprehensive nature in SALT II or SALT III. A decade of preparation and 2½ years of intensive discussions in Vienna and Helsinki have produced this document which scores a joint conclusion that the continuation of the United States-U.S.S.R. arms race is not in the best interests of either nation and that some means must be devised to stop the arms escalation in a manner consistent with what each nation believes to be its vested security requirements.

This SALT agreement is clearly in our best interests for several reasons.

First, we have broken the momentum of the Soviet offensive buildup—a buildup which the President has stated this country could not possibly match during the next 5 years.

Second, we currently have a 2-to-1 advantage in warheads which offsets the Soviet numerical advantage in ballistics launchers. This advantage will be retained for the duration of the 5-year agreement. Moreover, it should be remembered the United States still maintains a distinct superiority over the Soviets in the field of MIRV capability and technology.

Third, the agreement still permits us a strategic modernization program putting us in a strong position if there is no agreement at the end of the 5-year period. In 5 years, the Trident SLBM system will be ready for deployment, the Trident I missile will be available, site defense development will be near completion, the B–1 bomber development will be completed, and standoff missiles will be ready for our strategic bomber force.

Finally, if the Soviets fail to live up to their end of the bargain, the agreement allows us to withdraw to protect our supreme national interests.

The agreement clearly does not sell us down the river but allows us to maintain a flexible defense posture sufficient to meet any threat to our vital interests or those of our allies. In the long run, we have much to gain under this agreement in reducing the costly redundancy in our defense structure through bilateral negotiation and agreement.

I would also like to commend my colleagues on the House Foreign Affairs Committee and Chairman MORGAN for their leadership in the Congress and cooperation with the administration in bringing this agreement before this body and working for its approval.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as all of you know by this point, I am an outspoken critic of America's involvement in Indochina. However, I would like to point out that I am not only an advocate of this Nation's withdrawal from Southeast Asia, but an advocate of this Nation's withdrawal from the mentality for war, death, and destruction as a way of solving international disputes, and dealing with serious human questions. Therefore, it is very important that we limit the extraordinary arms buildup that has been taking place in this Nation and the world.

In that regard, I believe that the interim agreement before us now is an important step toward the limitation of the United States and the U.S.S.R. arms buildup because this has an adverse effect in America's economy, and forces us into a position where we become more preoccupied with war, death and destruction than peace, justice and equality.

Therefore, Mr. Chairman, I would urge the adoption of the interim SALT agreement as reported by the Committee on Foreign Affairs, and I urge a unanimous vote on this important measure.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in view of the fact that we are living in a period of anything but open convenants openly arrived at, and we see emissaries flooding back and forth obviously in a position to bind the leadership of this Nation and all of us in the penumbra of backroom international politicking, therefore I am compelled to rise to direct some questions which I think ought to be raised at this time to anybody on the committee, the chairman, or others who are knowledgeable.

First, since we are being asked to vote on a resolution approving an agreement plus what is called the protocol, is there any Member of the House, either on or off the committee, the chairman or anyone, aware of any side or collateral understandings not part of the record with respect to these agreements that our leadership might have discussed with the Russian leadership?

Mr. MORGAN. Mr. Chairman, if the gentleman will yield the answer is "no."

Mr. GONZALEZ. Is the distinguished chairman aware of any kind of a side understanding, informal or formal, whereby our leadership has in effect agreed with the Russian leadership to let up with respect to Russian incursion into the Western Hemisphere, to wit, Cuba, in exchange for some understanding of the Russians letting up in another area of the world such as the Middle East? Is there any knowledge about that?

Mr. MORGAN. Mr. Chairman, I can assure the gentleman from Texas that there was no agreement in that respect.

Mr. GONZALEZ. Is the chairman of the opinion that this could be possible, and yet the membership of the House or the Congress be unaware of it? Could that be? Is it possible for that to happen?

Mr. MORGAN. I would hate to imply in any way that we cannot trust the President, or that we do not trust the military. They have given us their assurances. I think we can reassure the gentleman, and there is no doubt in my mind that there was no agreement or negotiation of that kind. There might have been discussions, but no agreement.

Mr. GONZALEZ. There is a possibility that such discussions could have been held?

Mr. MORGAN. Yes, I am saying to the gentleman that there may have been discussions, but no agreement.

Mr. GONZALEZ. Now, I do not want this to be interpreted as inferring distrust or lack of trust, but strange things have been known to happen to our leadership.

For instance, in 1944 our leadership turned over to the Russians the complete moneymaking machine to make the occupancy currency that the Russians circulated in Germany—until we finally had to limit it or put a stop to it. We turned over the printing press and material to the Russians and then they came back less than 2 weeks later and complained and said, "Hey, you did not give us the ink, either." We had to turn over the special ink to them. That cost the taxpayers conservatively $250 million then as best we can figure.

Now, that sounds astounding—but it did happen in the context of the atmosphere of that time.

What I am saying is—I just wonder if we are fully charged with knowledge in order to give our imprimatur to an agreement that is far reaching insofar as the national security is concerned.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to place on the record my position on this bill.

This is probably one of the most important documents that has faced this Congress, at least in my 30 years of experience here. Anyone can find something to criticize about anything. I can find some things in the Strategic Arms Limitation Treaty that are not exactly to my liking. But I think this is a step away from chaos and from the possible total destruction of mankind.

As the former chairman and vice chairman, and as a member for 26 years, of the Joint Committee on Atomic Energy, I think I know a little something about what I am speaking.

I have watched the growth of the capability to wage nuclear destruction, both of our country on other countries, and of other countries on our country over the years, with great concern and apprehension in my mind.

I have sustained a strong capability on the part of this country, and I will sustain that as long as I am a Member of this House, because I confidently believe that in so sustaining that capability I was and am sustaining the power of deterrence which would keep the other fellow from making a mistake.

I also thought it was the only way we could guarantee peace in this world during this dangerous period, when the people of the world were beginning to find out what the total destructive capability of nuclear weapons could be.

As far back as 1959, I started hearings on the effects of atomic warfare. You can find it in several bound volumes, each 3 inches thick. We of the Joint Committee brought out for the first time a study by the experts of the Defense Department, as to what the exact capability of destruction was at that time. That was in 1959.

It said that a mild attack, a very reasonably mild attack upon the United States would destroy 60 million lives. Today each nation has many, many times the number and megaton warheads we had then.

One of my purposes in bringing these facts out was that I wanted the people of the United States to know, and I wanted the people of the world to know, the destructive capability of nuclear weapons. That knowledge has grown now to the point where I believe there is a new wind blowing in the world. I am not naive about the Soviet purposes—about their philosophy—about their dedication some day to be the controller of the world. But I am also not naive about the fact that they know if they start a nuclear war, it will start the destruction of the Soviet Union as well as of Western Europe and the United States.

So I say that for the first time in the history of mankind there is the most compelling motive in the hearts and minds of man—of every nation—to have a more peaceful world than has ever existed before.

That compelling motive is based on self interest—on the will to survive of the individual, which is the strongest instinct in mankind. When that will to survive permeates the intelligence of the leaders of nations of the world—that they too will perish in a nuclear war for that there is no place for the leaders to hide. In the event of a nuclear war radiation from nuclear weapons will permeate this Chamber and every other building in the United States. It would kill the people sitting in this Chamber, if it should occur—even though we were not in the blast area. This is the reason that there is growing throughout the world a compelling instinct to survive. It is causing the leaders of nations to make up their minds that no longer can we risk nuclear war. We cannot endure a full-scale nuclear war. Military capability to destroy is no longer partial, it is total.

Military capability to defend against full-scale nuclear attack is negligible. It is no longer credible. This applies to all clear weapon powers as well as ourselves.

This situation has never existed before in the annals of recorded history.

This wind that is the wind that is blowing in the minds of men throughout the world—and it is blowing in the minds of the leaders of the Soviet Union the same as it is in our minds. This is why I must pin my faith in some kind of agreement, not a perfect agreement, but an agreement that, in my opinion, is a step, is an important step, toward recognition of this one fact: That if mankind is to survive, mankind cannot afford a nuclear war. We cannot afford to start one; they cannot afford to start one. We cannot afford to retaliate; they cannot afford to retaliate. The price is too great to pay. This is the first real major power recognition of these principles that I am talking about. It is not perfect, but it is a building stone upon which we can build an edifice of peace.

I believe we should all get behind this and take this step forward.

I wish to pay my tribute to the President of the United States for his work in this field. It is far more important than this coming election; I will tell you that. It is of importance to you and your wife and your children and your children's children, and it may be the first important step for the preservation of the human race.

What more can I say?

What more can any man say?

Mr. ASHBROOK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let us take a closer look at the statement of Senator SMITH which appears in her article, "It's Time To Speak Up for National Defense," from the March 1972, issue of Reader's Digest. She stated:

> We may well have lost one of the crucial battles of the cold war when we entered into the 1963 Nuclear Test Ban Treaty with the Soviets. I was one of 19 in the Senate who voted against the treaty. Now, after nearly nine years of reflection, *my only regret is that the American people still have not been told the whole story about how the treaty worked to the Russians' tremendous advantage and to our own vast detriment.*
>
> Senators who voted against the treaty were not popular, but we who did so *acted on the basis of information that was—wrongly, I still believe—classified secret* and given to us behind closed doors. . . ." (Italic added.)

Note that Senator SMITH believes that the American people should have been given information which was classified secret and which was withheld from them during the Nuclear Test Ban Treaty of 1963. Furthermore, she states that this information should today be made available to the public.

Now let us consider the interim agreement which we are debating today. House Report 92–1324 of the Committee on Foreign Affairs states that the interim agreement is so closely linked with the treaty limiting anti-ballistic-missile systems that "an understanding of both is essential." The report states:

> The SALT accords consist of (1) a treaty limiting antiballistic missile systems and (2) a five-year interim agreement which freezes the overall levels of strategic offensive missile forces pending further negotiations which are to begin in October. There is also a protocol to the interim agreement, and a number of statements of "interpretation," some agreed and some unilateral. The texts may be found in House Document 92–311.
>
> As is customary, the treaty was sent to the Senate for its "advice and consent," while the interim agreement on offensive strategic arms has been submitted to both Houses for approval. Although the House of Representatives is being called upon to pass on only the interim agreement, the two accords are so closely linked that an understanding of both is essential.

Remembering Senator SMITH's objection to the element of secrecy surrounding the information withheld in 1963, consider the statement of Dr. Edward Teller, the eminent nuclear weapons authority, before the House Foreign Affairs Committee on the subject of the SALT Accords just a few days ago on August 9:

> The agreement on rocket deployment contains an Article VI which is *similar to Article XIII of the ABM Treaty.* In this case, as well as in the *ABM Treaty,* it is important to pay attention to the *national means of verification* which is supposed to furnish *prima facie* (Teller's emphasis) evidence of compliance. *These means of verification are secret. It is disturbing that on this vital point the public cannot get detailed* information. In fact, even the *information available to Congress* is less than complete. *One should raise the question* whether these *national means of verification should be declassified.* (Italic added.)

Dr. Teller's objection to secrecy is reminiscent of Senator SMITH's experience in 1963 although Dr. Teller goes a step further and claims that the information available to Congress was less than complete. As with Senator SMITH, he maintains that certain secret information should at the present time be declassified. It is interesting to note that information on the national means of verification which Dr. Teller holds should be declassified was mentioned in the committee report mentioned above. The report states:

> In addition, a special briefing on national means of verification was provided by Director Richard Helms of the Central Intelligence Agency.

Assuming that Mr. Helms' briefing was not for public consumption, the insistence on secrecy with regard to national means of vertification raises a serious logical muddle built into the treaty. Supposedly,

we must withhold the nature of these verification means from the U.S. public because the Soviets do not fully know what these means are—and it is not in our interests to reveal these means. What other reason could there be for not making them known to the U.S. public?

However, the Russians must know of our means of verification, in order to fulfill the letter of the treaty, for in article V, section 2, of the interim agreement signed by President Nixon and the Communist leader Brezhnev, it says:

Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with pargaraph 1 of this Article.

How is it possible not to interfere, if the means of verification are not completely known to the other party? The same problem is built into the ABM treaty by identical language in article XII, section 2. It is highly predictable that any violations of the treaties by the Soviets in the future will be described as "inadvertent," and therefore be turned over to the "Standing Consultative Commission" created by article XIII which is empowered by section 2(c) to "consider questions involving unintended interference." Thus the American people will be forever cut off from any real knowledge of what is going on. Even if the Soviets deliberately violate the treaty, they will not learn of it.

A word of clarification should be added concerning Dr. Teller's recommendation that the House approve the interim agreement. As will be noted in Dr. Teller's prepared statement, he proposes four safeguards:

First. That thorough use should be made of article XIII of the treaty and article VI of the agreement to make it probable that the treaty is honesty observed;

Second. That defense-oriented research receive vigorous support;

Third. That practical and economic measures be taken to improve our preparedness in civil defense; and

Fourth. That we establish better cooperation between the free and advanced democracies to insure our survival by collective action.

Dr. Teller concludes his prepared statement with these words:

Once these safeguards are adopted, I recommend wholeheartedly the endorsements of the treaty and interim agreement, including particularly the planned cooperation in several fields which our President has called "building blocks of peace." (Italic added.)

It is evident that Dr. Teller's approval is a conditional one. After—and only after—the four safeguards are adopted would Dr. Teller give his endorsement. Close inspection of safeguard No. 4 demonstrates how serious and encompassing are Dr. Teller's stipulations. In his statement No. 4 he further expanded:

Since we have lost leadership in the military field, it becomes even more important to cooperative closely with our Allies for the common defense of freedom. A united, free world could insure safety, peace and democracy. Nothing in the treaty or in its interpretation should stand in the way of the effort to build a better world based on the ideas of human dignity and safeguarded by proper measures to defend the citizens of a free society.

This proposal of free world unity capable of militarily defending free nations against aggressors is the same basic idea proposed by the late President Herbert Hoover in 1962 when he proposed his Council of Free Nations. Dr. Teller is, in effect, proposing a comprehensive and basic foreign policy to insure international security as a prerequisite of world peace.

At this point I insert the excellent statements of Senator SMITH and Dr. Teller:

IT'S TIME TO SPEAK UP FOR NATIONAL DEFENSE

(By Senator MARGARET CHASE SMITH)

For some time now, I have been growing increasingly concerned over a matter of public business which, it seems to me, ought to alarm all Americans. Yet, amazingly, I have heard little from my constituents or my Senate colleagues on the subject. Considering what is at stake—nothing less than America's ability to assure the future security and freedom of its people—the situation is incredible. Obviously, far too many Americans remain unaware of the frightful danger that is rising. As senior Republican member of the Senate Armed Services Committee, I feel I must speak out.

To put it as plainly as possible, there simply is no question that, if present trends continue, the Soviet Union will attain clear military superiority over the United States within the next very few years, perhaps as early as 1975 or 1976. Even now, in fact, the U.S.S.R. has far more land-based nuclear firepower than we have. It will equal or surpass us in submarine-based nuclear firepower by the middle of next year. It is embarked on an anti-submarine warfare program that may eventually succeed in neutralizing much of our missile-carrying submarine fleet. It has an extensive ABM (anti-ballistic-missile) deployment. It has been developing space weapons systems, as we have not. It has been modernizing and expanding its air and maritime forces, while we have allowed our own virtually to atrophy. And the modernized Red Army may now well be at its best.

FROM SUPREMACY TO PARITY

Thus, today, our previously unchallengeable military supremacy is gone. And although we are in a state of rough strategic parity—equality—with the U.S.S.R., even that is eroding at a fast clip. In short, we are on the threshold of a world that will be unimaginably different from any that Americans have ever known—a world in which our President will not be able confidently to demand, for example, that the Kremlin remove its nuclear missiles from Cuba. Or that it refrain from constructing a missile submarine base on that island, or from establishing air bases there for its strategic bombers. Nor will the President be able to press credibly for equitable resolutions of probems at other points of vital interest, such as the Middle East or Berlin. Our President, whoever he is, will have to negotiate as best he can from a position of weakness—if he gets a chance to negotiate at all.

For, make no mistake, we are rapidly approaching a day when the United States will be subject to all sorts of diplomatic blackmail and a strategy of terror waged by the Soviet Union. That is what the U.S.S.R.'s hugely expensive, decade-long military build-up is all about. There is no other logical reason for it. Moreover, as military ascendancy passes to the Soviet Union, the danger will increase that an over-confident Kremlin leadership will miscalculate, will try to impose its will somewhere in some way that will prove intolerable to the American people and will trigger nuclear war.

Unfortunately, this is not mere Pentagon propaganda, aimed at silencing opposition to defense spending and scaring Congress into apportioning a larger slice of the federal budget to the military. No one would be more delighted than I if we could safely eliminate military spending altogether and turn our full attention to improving the quality of American life—to refurbishing our cities, eradicating poverty, disease and crime, and solving our environmental problems. But first things must come first. As President Nixon has pointed out, if we are less strong than we should be, there soon may be no domestic society to look after.

SAFETY IN WEAKNESS?

Many Americans may be shocked to learn that we are in such serious and fast-increasing danger. But our military decline did not come about overnight. In fact, it has been ten years in the making. Briefly, here is how it happened:

The Soviet Union did not demobilize as we did after World War II. Having swallowed Eastern Europe, the Russians secured their newly conquered lands by maintaining and strengthening their military posture. The stronger they became, the more menacing became their behavior toward the free world—the United States in particular. But they always backed away when confronted with forceful resolve.

For example, a nearly successful communist takeover in Lebanon in 1958 failed only when President Eisenhower moved strong American forces onto the country's beaches in a dramatic display of U.S. determination to protect a friendly free nation. The Russians mounted a number of crises over West Berlin, but always backed off when America made clear that it firmly intended to keep the city free. In 1962, when President Kennedy ordered the Kremlin to remove its nuclear missiles from Cuba, he was standing under the umbrella of military security that had been raised during the Eisenhower 1950s.

Yet, in the face of such history, the Kennedy Administration was persuaded by a powerfully influential anti-defense clique that we Americans were largely to blame for Soviet behavior. The theory was that the military strength we had built to prevent a communist takeover of the world was fostering a paranoia in the Kremlin that could lead the Soviet leadership to launch a preemptive first strike against the United States. In effect, the anti-defense lobby warned, safety lay in weakening ourselves.

It's difficult to believe that such rubbish could have been accepted by responsible men. Yet it surely was accepted—by President Kennedy's Secretary of Defense, Robert McNamara, for one. McNamara decided that a balance of terror, where each side was capable of destroying the other was preferable to American supremacy. He believed that a military equal Kremlin would be a less aggressive Kremlin. The cold-war lessons, which clearly demonstrated that peace and freedom hinged on American strength and the will to use it, were discarded.

Some of us in Congress were on record early as opposed to this line of thought. It was disturbing that those who presided over our defenses should really believe that we could more effectively deter the Soviets by preparing to do less against them if they launched a war! Certainly it should have been clear, to the McNamara Defense Department as well as to the Kremlin, that the United States had no intention of launching a war. After all, there were a good many years when we enjoyed nuclear supremacy and could have put an end to the communist world at no real risk to ourselves.

But the anti-defense clique prevailed, and ever since we have been engaged in what has

amounted to a one-sided disarmament program. Since the Cuban missile crisis, we have withdrawn all of our overseas-based nuclear missiles—from Turkey, Italy and the United Kingdom. We have drastically reduced the size of our strategic-bomber force; starved our military research-and-development programs of funds and talent, thereby retarding development of our military technologies; and canceled a number of promising new weapons-systems proposals.

FROZEN ADVANTAGE

We may well have lost one of the crucial battles of the cold war when we entered into the 1963 Nuclear Test Ban Treaty with the Soviets. I was one of 19 in the Senate who voted against the treaty. Now, after nearly nine years of reflection, my only regret is that the American people still have not been told the whole story about how the treaty worked to the Russians' tremendous advantage and to our own vast detriment.

Senators who voted against the treaty were not popular, but we who did so acted on the basis of information that was—wrongly, I still believe—classified secret and given to us behind closed doors. This was the background:

In 1958, the United States and the Soviet Union entered into a moratorium on atmospheric nuclear testing. U.S. test teams were largely disbanded, and our expertise flagged. In 1961, however, the Soviets suddenly and without warning ended the moratorium with the most extensive and sophisticated nuclear-test series ever mounted. The American response was to conduct some hastily organized tests, but these were ended before anything important could be accomplished.

Then, communist propaganda drummed up a tidal wave of specious sentiment for a treaty banning atmospheric testing, and got plenty of help from our home-grown anti-defense clique. The argument ran that a well-organized American nuclear-testing program would trigger a new round in the arms race; that the United States ought to be satisfied with having enough nuclear weaponry to blow up the Soviet Union several times over; and that we would contaminate the world's atmosphere with radioactive fallout. Having advanced their nuclear technology well beyond ours, the Soviets were naturally anxious to freeze their advantage.

To our great peril, they succeeded. Their tests enabled them to develop the kinds of monster warheads that they have since installed on their giant SS-9 ICBMs. And they learned how the electromagnetic radiations of high-yield nuclear detonations might affect our retaliatory ICBMs; never having fired such high-yield shots, we could not know what these weapons' effects might be, and the treaty prohibits us from learning so that we can move to counter them.

All this should have been clearly explained at the time to the American people. But President Kennedy and Secretary McNamara classified the information secret, prohibiting us from presenting it to the people. The treaty was then rammed through and hailed as a great peace breakthrough. In reality, it was a disaster for the American people and a great victory for the Russians who, with their superior nuclear technology, were soon embarked on a military buildup that has no parallel.

The Need for Realism. Now, nearly a decade later, we are again involved in arms-control negotiations with the Soviets. I share the hope that the SALT talks will produce some meaningful agreements, and that the world can start to stop arming. Meanwhile, however, we must be realistic. Although, since the SALT talks began in 1969, the Russians have continued to arm at a quickening pace, the United States has virtually been standing still. One reason is fear that any dramatic American move to redress the growing imbalance might jeopardize the chances of success in the SALT talks. Never mind the Kremlin's supreme indifference to the possibility that we might take exception to Russia's continuing military buildup!

A second, more understandable reason for our continued arms-development inertia is rooted in the Vietnam war. We are sick to death of war, defense spending and all things military. We are disgusted with and weary of the vilification that has been heaped upon us, at home as well as abroad, for our attempts to block communist enslavement in Southeast Asia. We yearn to turn away from foreign entanglements and to begin making our own house a better place to live in. We feel so strongly about this that President Nixon will risk his political life if he embarks on any new weapons-development programs requiring major expenditures. But if he fails to do so for much longer, he will gravely risk our national future!

The key to security is public information. There is no doubt whatever in my mind about the will and determination of the American people to safeguard their freedom and the future security of their children. But it is essential that we understand what has happened and is happening: that the Soviets have demonstrated that they have no intention of settling for parity with us, but are hell-bent on achieving across-the-board superiority. And we need only recall the Soviet slaughter in Hungary in 1956, Russia's brazen attempt in 1962 to place nuclear missiles in Cuba, and its ruthless suppression of Czechoslovakia in 1968 to imagine what kind of world it will be if we allow a dominance of Russian arms.

WANTED: A MANDATE

Elementary prudence dictates that we revitalize our defenses. Unfortunately, however, we have not lost so much time waiting futilely for the Soviets to rein in their arms programs that there seems no way to avoid becoming at least temporarily militarily inferior, perhaps sometime in mid-decade. Recognizing this, Sen. James Buckley (C.-R., N.Y.) last October suggested some steps we can and should take immediately to see us through the dangerous years ahead. First, he says, we must improve the accuracy of both our land-based Minuteman III ICBMs and our submarine-borne Poseidon missiles to the extent that, in an emergency, the President could attack the U.S.S.R.'s land-based ICBM force with reasonably high confidence of destroying a significant portion of it. At present, the President's only option is to attack Soviet population and industrial centers.

Senator Buckley also sensibly proposed that we begin research and development that by 1974 would enable us, if we deem it necessary, to rapidly replace an additional 450 Minuteman II ICBMs with a like number of Minuteman IIIs, each of which has the capability of striking a number of separate targets. And he suggested an additional three-year research-and-development program to improve the guidance systems in our submarine-launched Poseidon missiles.

Senator Buckley's good ideas all could have been implemented by adding $42 million to the defense-research-procurement authorization bill of $21 billion—a relatively modest increase, especially in view of what would have been accomplished in terms of national defense. I encouraged him to introduce them in the Senate as amendments to the bill, and supported him when he did so. But the Administration did not support the Buckley amendments; nor did many of my Senate colleagues, some of whom have been strong advocates of national defense. The amendments were rejected—mainly, I believe, because too many in the Senate have neglected to inform themselves of the reality of our growing peril, and are preoccupied with politically appealing domestic-welfare schemes they hope to finance with funds stripped from the defense budget. Also, I fear, too many who should be exercising leadership have been cowed by the anti-defense atmosphere that pervades the country.

I hope I have made it clear that we are running out of time. While many in Congress continue to do their best on behalf of national security, they need to know that they have the support of the people. For enormous opposing pressures continually are being brought to bear. The anti-defense lobby is well organized, articulate and effective. The time is long overdue for Americans who believe that our future safety lies in strength, and not in weakness, to make themselves heard, to let those who represent them in the House of Representatives and the Senate know how they feel. A ringing public mandate for a sensibly revitalized defense posture would be the clearest signal we could send the Kremlin that America's will to survive in freedom has not diminished.

COMMENTS ON THE MOSCOW AGREEMENT

(By Edward Teller)

Though the SALT Agreements signed in Moscow put us at a dangerous disadvantage, I recommend approval by the House of Representatives. It would take many billions of dollars in the next five years if we tried to catch up with the Soviets. In the absence of treaties, the Russian advantage would grow faster.

These agreements freeze our present disadvantage, but leave the door open for the Russians to catch up with us and surpass us in any field where we are still ahead.

It is claimed that we have a two-to-one lead in numbers of nuclear explosive missile warheads. This claim is probably correct but this advantage will not last. Mr. Laird's specific estimate that the Russians can develop MIRVs in two years is plausible.

The ABM Treaty has a valuable and novel provision: Article XIII. It establishes a standing commission with the purpose to strengthen the credibility of the treaty. It should be staffed by experts who possess vision and are dedicated to the defense of our Country.

According to this article, proof of compliance should be offered on a voluntary basis. Since it is difficult to establish foolproof checks, this provision is wise. It is, for instance, difficult to verify the exclusion of rapid reloading capability of ABM launchers. The question of whether or not missiles such as the SA-5 could be changed into an ABM defense by rapidly moveable radars is most worrisome.

The agreement on rocket deployment contains an Article VI which is similar to Article XIII of the ABM Treaty. In this case as well as in the ABM Treaty, it is important to pay attention to the national means of verification which is supposed to furnish *prima facie* evidence of compliance. These means of verification are secret. It is disturbing that on this vital point the public cannot get detailed information. In fact, even the information available to Congress is less than complete. One should raise the question whether these national means of verification should be declassified.

The geatest immediate danger of the agreements is unjustified euphoria. The great potential advantage is that the agreements spell out American inferiorities in vital fields; thus, needed preparation of our defenses may be spurred.

One phase of such preparation is research directed toward means of defense. Today such an activity is unpopular. If this does not change, our future is dark.

In the understandings which accompany the treaty, a most doubtful point is a limitation placed in the implementation of novel ABM ideas, should they develop in the future. It is indeed a mistake to limit the use of systems which do not exist as yet and may not even be imagined at present.

It is also important to know that the Russians have a decisive advantage over us in another vital respect. They have an effective plan to evacuate their cities, which they have published in half a million copies. In case they choose to subject us to nuclear blackmail, they would be able to protect their population so that their losses will not exceed under any circumstances 4%. At the same time in such an exchange more than half of the Americans would be killed.

Therefore, the generally accepted statement that our retaliatory power will certainly suffice is of most doubtful validity. It behooves us to take economically feasible measures to protect our people and thereby to insure peace for America as well as freedom from coercion.

Since we have lost leadership in the military field, it becomes even more important to cooperate closely with our Allies for the common defense of freedom. A united, free world could insure safety, peace and democracy. Nothing in the treaty or in its interpretation should stand in the way of the effort to build a better world based on the ideas of human dignity and safeguarded by proper measures to defend the citizens of a free society.

In summary, I recommend as safeguards

a) That thorough use should be made of Article XIII of the Treaty and Article VI of the Agreement to make it probable that the treaty is honestly observed;

b) That defense-oriented research receive vigorous support;

c) That practical and economic measures be taken to improve our preparedness in civil defense; and

d) That we establish better cooperation between the free and advanced democracies to insure our survival by collective action.

Once these safeguards are adopted, I recommend wholeheartedly the endorsements of the treaty and interim agreement, including particularly the planned cooperation in several fields which out President has called "building blocks of peace."

Finally, I refer to an excellent and recent study on the SALT accords which was called to my attention by its authors, A. H. Stanton Candlin and Gilbert S. Stubbs. The study presents a survey of some of the defects in the SALT agreements and how these defects all accrue to the military advantage of the Soviet Union. The study further explores the possibility of whether the Soviet Union will exploit the SALT loopholes based on the past Soviet diplomatic record and the Soviet military doctrine.

Mr. Candlin is a military analyst and author who served with the Allied Commission that supervised the disarmament of Germany following World War II. Mr. Stubbs, an electrical engineer by profession, is an assistant director of the Draper Lab at the Massachusetts Institute of Technology.

The SALT accords, everyone will concede, certainly have an important bearing on the national security of this Nation and by extension upon the security of the free world. The Stanton-Stubbs study provides much provocative discussion on various aspects of SALT which should be reviewed by the American public and, despite its length, I place the text entitled "SALT: Hanging By the Thread of a Soviet Promise" in the RECORD at this point:

SALT: HANGING BY THE THREAD OF A SOVIET PROMISE

(By A. H. Stanton Candlin and Gilbert S. Stubbs)

The recent Summit Conference in Moscow between Communist Party Secretary Leonid Brezhnev and President Nixon, and the Strategic Arms Limitation Agreements which were signed there, have been as rewarding to the USSR as they have been damaging and possibly disastrous to the United States.

Much has already been said about the advantage which the SALT agreements confer on the Soviets in terms of the total weight of nuclear warheads which they can deliver on the United States. Estimates of this advantage range from 3:1 to 5:1. Some military authorities contend that the presently larger number of U.S. warheads, obtained by dividing missile payloads into multiple, independently-targeted re-entry vehicles (MIRV's) is able to offset the Soviet advantage in total nuclear megatonnage. However, whatever may be the value of this U.S. capability, its countervailing effect is obviously short-lived, and will last only until the Soviets develop their own MIRV capability. The greater throw-weight of the Soviet SS–9 missiles plus the numerical superiority of the other Soviet missiles will allow the Soviet Union to obtain a virtually overwhelming superiority in flexibility, sophistication and destructive capability of their offensive missile systems.

The imbalance in nuclear weapons which the SALT pacts grant the Soviet Union is but one defect of these agreements, which are vaguely-worded, ill-defined, unverifiable and unenforceable.

It will be the purpose of the following analysis to present a survey of some of the defects in the current SALT agreements and to show how these defects all accrue to the military advantage of the Soviet Union. The particular question of whether the Soviet Union will exploit the SALT loopholes and SALT verification deficiencies to augment its present military superiority will be discussed in the context of the Soviet diplomatic record and the Soviet military doctrine.

It will be shown that the United States has no recourse but to reject the present SALT accords and to seek a new set of accords that are well-defined and enforceable by on-site inspection—and that until such time as meaningful and enforceable agreements are obtained, the United States has no choice but to take those measures necessary to restore the credibility of its strategic nuclear missile forces, and to regain as far as possible (and as rapidly as possible) a position which has almost been bargained away.

THE PROMISE NOT TO CONCEAL

Just one month prior to the Nixon-Brezhnev summit conference one of the authors prepared a paper for the April 28, 1972 issue of the American Security Council entitled, "On-Site Inspection: The Key Issue in SALT." This paper delved into the many ways in which the Soviets could completely ignore and circumvent any SALT agreement that was not based on ironclad provisions for verification by on-site inspection. The paper stated three points which are particularly pertinent to the SALT agreements now before the Senate.

"1. No missile or arms limitation pact can be safe without an agreement to open all weapons installations and all suspected weapons installations to close-up physical inspection by international inspection teams which are given unrestricted freedom of travel and entry.

"2. An arms agreement without provisions for direct personal inspection would not halt the "arms race"; it would merely guarantee success to any nation that would seek to achieve an overwhelming military superiority through the concealed production and concealed deployment of new missile systems. An inspectionless agreement would permit Communist bloc nations to take advantage of their closed societies to conceal massive nuclear missile buildups, while at the same time being certain that the open society of the United States would not permit such a subterfuge.

"3. At best, an arms limitation agreement without inspection would create a temporary, false impression of security. At worst, it could leave the United States with a choice only between surrender and annihilation by overwhelming nuclear forces."

At the time these three points were set down, the public was still uncertain as to what form the expected SALT agreements would take. Uppermost in many minds was a fear that U.S. SALT negotiators would defer to the repeated Soviet refusals to permit any kind of on-site inspection. However, on that particular concern the foregoing article quoted favorably some reassuring words of Secretary of Defense Melvin R. Laird, published in the March 27, 1972 issue of U.S. News and World Report:

"But it is my strong view that it would be a great and dangerous mistake for the United States to take unilateral disarmament actions. In short, we must have verifiable mutual-arms-limitation agreements . . . To put it bluntly, this President and this Secretary of Defense are not going to place the destiny of the United States or of our friends and allies, at the mercy of the hoped-for good will of any other power."

Two months later, these fine words of Secretary Laird were entirely ignored as two agreements were signed in Moscow that place the destiny of the United States and its allies squarely in the lap of the "hoped-for good will" of the Soviet Union.

In a remarkable capitulation to the Soviet Union, the Moscow SALT agreements contain absolutely no provision for any type of verification, on-site or otherwise, that goes beyond the normal means now employed (without agreement) to gather military intelligence. Such independent intelligence gathering methods are referred to in the SALT agreements as "national technical means of verification". They include, principally, the use of satellite surveillance, aerial reconnaissance and electronic intelligence in conjunction with the so-called "classical" intelligence sources.

Recognizing the deficiencies of these "allowed" means of verification, SALT negotiators have inserted a clause which calls upon the U.S. and the Soviet Union "not to use deliberate concealment measures which impede verification by national technical means . . .". This clause is found in Article XII of the Treaty on ABM's and in Article V of the Interim Agreement (on offensive missiles). Insofar as the United States is concerned, the effect of this clause is to hang U.S. security on the tenuous thread of a Soviet promise not to engage in concealed missile buildups.

Defenders of the SALT pacts have apparently chosen to ignore the significance of the "deliberate concealment" clause. They continue to assert, as they have in the past, that "national technical means of verification" are adequate in any case, independent of any Soviet attempts at concealment. They are able to avoid any proof of this assertion by taking refuge in the veil of secrecy that must necessarily surround the methods of military intelligence gathering. They are able to say, "If you knew what we know, you would not question the reliability of our verification means".

However, the very fact that secrecy is required to protect "national technical means of verification" is in itself an indication of extreme fallibility. One major reason for this secrecy is that once the details of any particular means of verification are known, countermeasures can be developed to thwart that method of verification. The delicate and uncertain balance between measures and countermeasures in the intelligence field makes any secrecy-dependent means of verification highly risky as a sole basis for arms limitation.

TACTICS OF CONCEALMENT

It is on the relatively recent development of surveillance satellites that SALT proponents appear to be basing their claim for a "see all, know all" capability in the so-called "national technical means of verification". In promoting this unfounded claim, the SALT proponents are able to take advantage not only of military secrecy but also of the awe and wonderment with which the public regards any space achievements.

Fortunately, the barriers of secrecy need not be penetrated to disprove any claims of satellite infallibility. That is, it is not necessary to go into details of what satellites can do, which is restricted information, but rather to explain what satellites cannot do, which is determined by the laws of nature.

Satellites cannot, for example, examine the interiors of missile sites, buildings, tunnels, caves, mines, trains, trucks, tankers, fishing trawlers, etc.; and satellites cannot probe the crust of the earth with sound and electrical waves or with sample borings. Satellite measurements of nuclear particles, which are used to detect nuclear explosions, are not applicable to detecting the dormant warheads of nuclear missiles on the surface of the earth. Furthermore, the nature of magnetic and gravitational fields is such that a local variation in these fields produced by any man-made object on or beneath the earth's surface would be so attenuated and marked by poor resolution at satellite attitude that even perfect sensors would be incapable of obtaining any data that would be meaningful in a military sense.

By process of elimination there is only one means of measurement open to satellites for the surveillance of objects on the surface of the earth. That is the measurement of electromagnetic radiation, which ranges from ultraviolet to visible light to infrared (heat) radiation to radio waves to x-rays to gamma rays. Such radiation may be emitted and/or reflected from the earth. Reflected radiation may come originally either from the sun or from the satellite (for example, from radar or laser systems).

(Lest any deeper meaning be ascribed to the foregoing conclusions, other than the laws of nature imply, it is here stipulated that the writers have not had access to current classified information on satellite measurement capabilities.)

In the case of offensive missiles, which do not require radars, lasers, or radio communication for their operation, their detection by satellites must be linked to (1) a telltale emission of infrared (heat) waves and light from the missile installation, (2) a revealing reflection of radar or laser radiation transmitted from the satellite, or (3) a significant pattern in the reflection of solar radiation. None of these categories of reflected or emitted radiation pose any insurmountable obstacles to a successful concealment of offensive missiles by scientific camouflage. All that is required is to enclose the missile and its launching system in a building or other structure whose surface reflects and emits radiation in a way that does not betray its contents.

Parenthetically, it should be mentioned that even in the area of radio emissions there is a whole field of deceptive action within the category of ECM (Electronic Countermeasures) which has an important bearing on the boundary conditions or limits of acquisition of satellites or special aircraft.

The ease with which satellite measurements can be deceived depends on the type of environment in which the missile system is concealed. Missiles can be concealed in caves, in mines, in forests, in railroad boxcars, in rivers, in harbors, on the bottom of the sea, in barges, in fishing trawlers, in freighters, in tankers, in any metal structure or building that conceals its contents, in dummy oil wells, in other dummy structures which are disguised as components of oil refineries, chemical plants, steel plants, electric power plants and the like, in silos which are installed beneath the surface of a mountain by drilling upwards from highway or railway tunnels, and in many other places human ingenuity can devise. Obviously, concealment can be easier in areas where the normal transportation and communication requirements parallel those of a missile installation, and where the physical dimensions of the missile system either correspond to or are masked by the characteristics of the environment, and where the normal characteristics for the emission and reflection of radiation either correspond to or mask those of the missile system. Many of the places of concealment listed above fit these requirements.

To answer those who will suggest that such concealment is too impractical or too costly, it is necessary to refer only to the effective concealment of entire factories by the Germans during World War II. The construction and maintenance of such factories, located underground, was made entirely feasible by the availability of slave labor—which is available also to the Soviets.

The resource and ingenuity which the Germans displayed in the concealment and protection of their factories from location and allied bombing had to be seen to be fully believed. One of the authors had this opportunity of first-hand observation while serving with a military government and with an allied commission which supervised the disarmament of Germany. In this capacity, he carried out aerial reconnaissance and on-site inspection of a number of underground factories and fully camouflaged strategic surface targets. A few of the examples of German concealment familiar to this author are described below.

Examples of German concealment are legion. A particularly intriguing case was that of the Kriegsmarine's principal Torpedo Research and Development Establishment at Eckenforde, whose general location was known, but where the Germans were able to conceal its extent and the full nature of its operations by the skillful use of artificial fog and other measures. This author has examined an underground refinery with full scale straight-run distillation units about seventy feet high which were concealed in a small hill whose rock had been completely hollowed out for the purpose and whose entrance could only be detected from the distance of a few feet at ground level—and even then only when the exact position was known. On one occasion this author when fully supplied with map references and good directions had difficulty in finding the concealed entrance to an underground factory installed to produce ball-bearings—which was totally invisible from above and only partially visible within a restricted range of access from the ground. He has also flown over certain wartime oil-field and oil delivery targets on the Kiel Canal at a height of about 200 feet being quite unable to distinguish any special characteristics of pumping stations disguised as thatched cottages whose exact location and detailed construction were known to him. This was not surprising because the pumps in some cases were below light screening structures which had been built inside the cottages and the machinery could not be seen even by looking through the windows. Also, at Flemhude the Kriegsmarine (German Navy) constructed an underground oil storage installation designed to hold seven million tons of oil in large concrete storage tanks. This was totally invisible from the air.

Another impressive example of concealment was the German construction of a small arms and medium ordnance factory in a mine. The sudden influx of gun-manufacturing machinery and outflux of "ore-bearing" railroad cars (containing guns) was explained by the announcement of the discovery of a new vein of ore. All the operations of the factory were masked by the simulated operations of a mine, even to the extent of supplying real mining equipment to the mine.

A masterful piece of concealment by the Germans was the construction of an arms factory as part of a prison, and the use of the prison population as a factory labor force. The Soviets are easily capable of such a ruse to conceal a missile component factory or a launch facility. It is well known, in fact, that many Soviet strategic projects have been constructed by slave labor administered by the MVD.

The activities of the allied disarmament commission sometimes involved the comparison of wartime intelligence on Germany with what was actually found by first hand inspection. The discrepancy was great. No satellite system could possibly fill this kind of gap.

In considering the virtually unlimited possibilities for missile concealment by the Soviets it should be borne in mind that missile facilities need not be accompanied by the massive, complex, underground concrete structures that are associated with U.S. missile complexes. It is quite feasible to construct light, mobile launchers for ICBM's, as the Soviets have already done for their intermediate range ballistic missiles (IRBM's). It is particularly significant that the SALT Interim Agreement places no limit on land-mobile ICBM's, as per the Soviet refusal to do so. This fact strongly suggests a need to re-examine recently publicized proposals to give our own ICBM's mobility that would help to protect them from a Soviet first-strike attack.

On the subject of concealment, two popular misconceptions about missile transportation and storage should be corrected. First, missiles need not be transported intact. Rather, it is quite feasible to design any missile so that it can be shipped as sections in crates whose physical size and dimensions give no clue as to their contents. These component sections can then be assembled at a concealed launch site. Thus, transportation from the factory to the launch site presents no problem in concealment. Second, missile storage, either at the launch site or elsewhere, need not be in the upright position, and therefore requires neither a tall building nor a deep hole.

In order to execute plans depending on large-scale mobility of ICBM's, the USSR possesses extremely adequate means for achieving this since they have very extensive state-controlled air cargo fleets as well as rail and inland waterway routes already involved as a means of logistic dispersal and deployment.

ARE SUSPICIONS ENOUGH?

Some defenders of the SALT agreements may contend that it is not necessary to determine with an absolute certainty that the Soviets are violating the SALT agreements with a concealed missile deployment. They may argue that "national technical means of verification" should at least be capable of uncovering enough evidence of any concealed Soviet buildup to generate suspicions in Washington. While not for one moment accepting this presumption of general capability, we may nevertheless ask, "What would or could Washington do in response to such suspicions?"

Viewed from a historical perspective, the chances of any U.S. response to mere suspicions of a Soviet arms buildup appear to be very small. On two occasions during the past decade the Soviet Union has solemnly promised not to seek a military advantage through a massive deployment of missiles, and on both occasions it has subsequently violated that promise in a way that gravely threatened the security of the United

States and/or its allies. In both cases, which shall be described below, the Administration then in Washington initially rejected all evidence of these buildups and publicly denied that they were taking place. Fortunately, for reasons best known to the Soviets, neither of the Soviet missile deployments was concealed, so that conclusive proof of these deployments was ultimately obtainable by aerial photographs. It was not until this proof was obtained that the respective Administrations were finally able to face the fact of Soviet duplicity.

EXAMPLE OF THE FIRST SOVIET MISSILE BUILDUP

The first of the Soviet missile buildups occurred in 1962, in Cuba. In this case we have the admission of Kennedy's Director of the Bureau of Intelligence and Research in the State Department, Roger Hilsman, that "classical" intelligence from CIA agents in the field was rejected for almost a month, until direct photographic evidence of the Soviet offensive missiles was obtained by a U-2 flight on October 16, 1962. He explained this policy as follows:

"To take the action the United States did in fact take and to mobilize public opinion in the United States and our allies to support that action requires 'harder' information than agent reports. It was only in the third [i.e., deployment] stage—after missiles and supporting equipment had actually been installed at the launching sites—that the necessary 'hard' information could be acquired. The 'hardest' information of all were pictures, for example, and it was only in this third stage that the installations would be recognizable in aerial photography." (Roger Hilsman, *To Move a Nation,* Doubleday and Company, Inc., 1967, p. 184.)

This statement is subject to a good deal of critical re-interpretation. When intelligence work is properly conducted and agents are properly selected, trained and used, the intelligence which they can obtain is within the hardest of all categories—and in many cases has revealed (*to those entitled to receive it*) with absolute accuracy the intentions of an enemy as well as his capabilities. During WW II such decisive battles as those of Kursk, the Battle of the Atlantic and the Normandy Invasion depended to a great extent on the successful use of agents and of well-tried methods now regarded as "classical". These are still supremely effective—and scientific aids, however sophisticated, can still only be regarded as an auxiliary to them rather than as a primary and basic substitute for other methods for which, in fact, there is no substitute. Hilsman himself, elsewhere in his book, discussed the problem of over-reliance on scientific aids during the Cuban Missile Crisis:

"As the scientific instruments of information-gathering have become so marvelous, the intelligence community, having the normal American love of technical gadgetry had neglected the time-consuming, tedious, but still essential methods of classical espionage. Recruiting, training, and implanting an agent may take years, and it may take still more years before he reports anything of significance. It is so much easier to send a U-2 or use some other scientific gadget. But there are some matters on which we need information that even a U-2 camera cannot pick up." (p. 191.)

Notwithstanding the efforts of dedicated and resourceful agents, classical methods can be thwarted by techniques of deception, just as can satellites and other purely technical means. This is a built-in hazard, which is quite evident when the potentialities of double agents are taken into account.

Together, classical and scientific national means of verification are necessary but *not sufficient* to police an agreement in which the U.S. security is critically dependent on absolute Soviet compliance. To impose such a burden on "national means" is to ask dedicated people to perform an impossible task, risking in some cases their lives and personal security to do what the diplomats did not have the courage to do around the conference table by insisting on on-site inspection.

EXAMPLE OF THE SECOND SOVIET MISSILE BUILDUP

A disbelief of early evidence of a second Soviet missile buildup was voiced by the Nixon Administration in response to Israeli charges of a SAM missile buildup along the Suez Canal. This missile buildup was in direct violation of an Egyptian-Israeli cease fire agreement, which took effect at midnight, Friday, August 7, 1970. Unlike the Cuban buildup, we are told that the initial evidence in this case was photographic. According to the New York Times, August 14, 1970 (page 6), only three or four hours after the cease-fire began,

"Israeli aircraft on reconnaissance missions were said to have sighted the [Soviet] missile batteries advancing toward the Canal. The United States was immediately informed. The reply from Washington was described as tentative. American reconnaissance was said to have confirmed that there were missiles in the forward position, but there was no firm evidence that they had not been in these locations before the cease-fire took effect."

However, such "firm evidence" was then supplied by the Israeli Ambassador to the United States, Itzhak Rabin, who according to the Times, flew from Israel to the United States on Monday morning, August 10, "with Israeli reconnaissance photographs said to have been taken at 3:30 Friday afternoon, before the cease-fire, showing that the movements were indeed new". Despite this Israeli evidence the Nixon Administration refused to believe that the Egyptians and Soviets were violating the cease-fire, and continued to express that disbelief until September 1, at which time the Administration revealed that not only had the Soviets violated the cease-fire in the initial hours after Friday midnight, but they had continued to move in SAM missiles during much of the month of August!! The final "convincing" evidence was said to have been in the form of photographs taken by U–2's and satellites.

The effect of the delayed U.S. response in the Suez crisis was described by the New York Times editorial of September 20, 1970:

"The weak American reaction to the original violations, the initial skepticism voiced about Israel's charges and the withholding of Phantom jet-fighters from Israel in the face of a shifting power balance doubtless encouraged Moscow and Cairo to go on with their buildup."

We cannot help but wonder what would have happened if the Soviets had concealed their missiles so as to prevent photographic evidence from being obtained in the 1962 Cuban crisis or if they had decided to conceal their missiles along the Suez Canal after the U.S. had rejected early photographic evidence. Would the existence of all these missiles still be a subject for debate today?

It should be pointed out that responsible sources have claimed that there are still Soviet missiles concealed in Cuba. Aerial photographs can neither prove nor disprove such claims. As President Kennedy once explained, "We cannot prove there is not a missile in a cave or that the Soviet Union is not going to ship next week".

The requirement for direct, photographic proof, imposed by both Democratic and Republican Administrations in two different situations, may hold some significance in relation to the present SALT agreements. Normally, the proof from "classical" intelligence sources can be just as reliable as aerial photographs, perhaps sometimes more reliable. However, in these times when the credibility of government officials (and their intelligence sources) has been repeatedly questioned (often unjustly), only photographic evidence may suffice to convince the general public. Under the present SALT agreements it is not impossible that some future Administration which has been able to acquire information of a concealed nuclear missile buildup would nevertheless be unable to convince the public of this buildup because of an inability to photograph the concealed missiles. The possibility of such an occurrence can neither be ignored nor dismissed.

PROMISES MADE TO BE BROKEN

In deciding whether Soviet promises have any value in the present SALT agreements, we should not lose sight of the fact that both the Suez and Cuban missile deployments were carried out in violation of prior agreements and promises, and that even during these deployments the Soviets repeatedly denied that they were taking place. This use of the "big lie" as a cover-up for clandestine Soviet operations is neither an isolated nor an occasional phenomenon, as any cursory look at Soviet history will reveal.

The American Bar Association published a particularly informative study in this regard in 1958. This study, which was conducted by the ABA's Special Committee on Communist Tactics, Strategy, and Objectives, summarized the record of Communist promises up to 1958:

"During the past 25 years, the United States has had 3,400 meetings with the Communists, including Teheran, Yalta, Potsdam, Panmunjom and Geneva. The negotiators spoke 106 million words (700 volumes). All this talk led to 52 major agreements, and Soviet Russia has broken 50 of them. The Communists have followed Lenin's dictum about treaties and agreements: " 'Promises are like pie crusts—made to be broken.' "

One may well ask, in the face of this evidence of Soviet bad faith, "Should we be so foolish as to trust them again?" And yet, in the same year the ABA report was published, the United States entered still another agreement with the Soviet Union, this time an agreement to impose a moritorium on nuclear testing. The Soviet Union kept this agreement for three years—just long enough to acquire a substantial advantage over the U.S. in the development of new nuclear weapons, and to complete extensive preparations for the testing of these weapons which began late in 1961. President Kennedy strongly condemned this Soviet subterfuge, vowing never again to enter into a testing moratorium which did not have provisions for inspection:

"We now know enough about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium." (1962 speech of President Kennedy, quoted by *Human Events,* June 3, 1972, p. 4.)

Nevertheless, in spite of this strong declaration of President Kennedy and in spite of the subsequent indication of Soviet bad faith in the 1962 Cuban Missile Crisis, the United States allowed the Soviets to retain their ill-gotten lead in nuclear weaponry by signing an atmospheric-test ban treaty in 1963—an agreement which once again contained no provisions to inspect against secret test preparations!!

To place the reliability of Soviet promises further in perspective, it may be noted that shortly before the present SALT accords were completed the Senate Judiciary Committee released a report which updated the Soviet record on honoring summit agreements: 24 out of 25 summit agreements violated to date!

The dismal Soviet record in honoring agreements points to just one conclusion: As long as the United States continues to enter into unenforceable, unverifiable agreements with the Soviet Union, the Soviets will continue to break these agreements whenever it serves their purpose to do so.

In this regard their motives and intentions are obvious when the rate of Soviet missile and submarine build-up is considered which continued and even accelerated during the period of the SALT negotiations. The rate at which it still continues is a commentary on the use of the term "limitation" in connection with those or future SALT discussions.

LOOPHOLES

Not only are the current SALT agreements not enforceable and not verifiable to a degree that could ensure compliance, but a close examination of these pacts reveals numerous ambiguities and omissions that virtually invite a concealed missile buildup by the Soviet Union. A few of these deficiencies are listed below:

(1) The Interim Agreement avoids specifying any upper limit on the number of fixed land-based ICBM launchers, requiring the parties to this agreement merely to support an undefined status quo by not initiating any new launcher construction after July 1, 1972. Donald G. Brennan of the Hudson Institute, who has always concurred with past disarmament efforts, sees a major loophole in this SALT feature: ". . . the Soviets have refused to say how many missiles they have. Thus, our estimates of the Soviet strategic forces are presumably lower bounds . . . If we later discover a whole field of ICBM's, which I am told has happened in the past, there may be some controversy over just when it was started". (Donald G. Brennan, "When the SALT Hit the Fan", *National Review*, June 23, 1972, pp. 685–692.)

(2) Article V of the Interim Agreement, which prohibits "deliberate concealment measures", provides no definition of what constitutes "deliberate concealment". The Article states only that this prohibition "shall not require changes in current construction, assembly, conversion or overhaul practices". Accordingly, the Soviets will be able to excuse any future concealment techniques by merely claiming that these techniques are not changes from past practices. Article XII of the Treaty of ABM's offers the Soviets the same loophole.

(3) The Interim Agreement deals only with the construction of fixed land-based launchers and submarine launchers for offensive missiles. The Agreement does not prohibit the continued production of the missiles themselves or of the sophisticated electronic equipment required for launch operations. This omission is most serious in the case of the huge Soviet SS–9 missiles and their even larger replacements. The United States has no modern ICBM's comparable to these mammoth first-strike weapons. It would take the U.S. perhaps five to ten years to develop such weapons—plus more time to produce and deploy them. On the other hand, the Soviets would require a relatively short time to construct the launch facilities for accumulated stockpiles of these massive weapons.

(4) While the Treaty on ABM's does, in effect, prohibit the stockpiling of ABM missiles in Article VIII, this prohibition is obviously not capable of being enforced by "national means of verification". It should be noted that the Soviet ABM launching equipment does not involve underground silos, and would therefore be capable of being rapidly deployed from a concealed stockpile. Moreover, it has been pointed out by Senator James Buckley, in his June 29, 1972 testimony before the Senate Foreign Relations Committee, that the Soviet single-ABM-launchers, permitted by the ABM treaty, are capable of being modified covertly so that they will be able to launch more than one missile in rapid succession.

(5) Senator Buckley has further suggested that the Soviets also have the possible option of upgrading their new anti-aircraft systems to an ABM role: "There are those who believe, for example, that the existing SA–5 missiles, with their effective altitude of 100,000 feet, could be given an ABM capability and connected with the necessary radar installations without detection".

(6) Strangely, the particular weapons which the Soviets could be deployed most rapidly from concealment are not even covered by the SALT agreements. These are the land-mobile ICBM's. U.S. negotiators, who originally demanded the inclusion of these weapons, subsequently capitulated to Soviet intransigency on May 20, 1972, only six days before the SALT pacts were signed. In a most ineffectual attempt to mitigate the effects of this astounding Soviet diplomatic victory, U.S. negotiators issued a unilateral statement on May 20 in which they declared, ". . . the U.S. would consider the deployment of operational land-mobile ICBM launchers during the [five year] period of the interim agreement as inconsistent with the objectives of that agreement". This statement makes little sense when it is realized that the very fact that such launchers would be rapidly deployable makes it unnecessary to deploy them until they are needed—either for a surprise nuclear attack or for an attempt at nuclear blackmail.

(7) The Soviets have refused to define what they consider to be a "heavy ICBM" under Article II of the Interim Agreement, which prohibits the replacing of "light ICBM's" by "heavy ICBM's". Without a binding definition, the Soviets are free to do as they please under this article.

(8) A further ambiguity on missile replacement relates to the question of whether the Soviets are now replacing their intermediate missiles with SS–11's that have an intercontinental range. Senator Buckley testified:

"It is not at all clear that the so-called 'national means of verification' available to the United States will suffice to provide conclusive evidence as to whether or not Soviet medium and intermediate range ballistic missiles (M/IRBM) will be upgraded to an intercontinental capability through the replacement of obsolescent SS–4 and SS–5 missiles with 'variable range' SS–11 missiles. It has already been noted in the press and elsewhere that the Soviet Union has begun to place SS–11 missiles in her M/IRBM fields in the western part of the Soviet Union. If the United States does not obtain ironclad proof that an upgrading to an intercontinental capability is not taking place, the Soviet Union could add an additional 700 ICBM's to its arsenal without detection."

DANGER OF A UNILATERAL FREEZE IN WEAPONS TECHNOLOGY

Perhaps the single most objectionable feature of the present SALT agreements is that they guarantee that the Soviet Union will be the sole future possessor of a unique class of weapons for which the United States has no modern equivalents. These are the colossal SS–9 first strike ICBM's and their even larger replacements permitted by SALT. It is through the development of these massive-payload missiles that the Soviet Union now poses the threat of a first-strike capability against U.S. ICBM's. And, it is through these same giant carrier rockets that the Soviet will enjoy an unmatched future flexibility in the delivery of weapons of mass destruction on the United States.

A significant aspect of the unilateral Soviet acquisition of the SS–9-class ICBM's is that this acquisition occurred in the face of a unilateral, self-imposed freeze on such weapons by the United States. It was held in this country that any such weapons were unthinkable because they would constitute a first-strike capability that would be contrary to the spirit and rationale of the SALT negotiations. Ironically, the Soviets, who proceeded with their SS–9 buildup independent of SALT, have now been granted a permanent superiority by the SALT Interim Agreement which prohibits the U.S. construction of launchers for similar size missiles.

A very real danger now exists that the pattern of events of the SS–9 case may be repeated in other areas of weaponry, with the Soviets ultimately acquiring overwhelming superiority in crucial arms categories where the United States has frozen its own development of new weapons and new weapons technology. Such U.S. freezes may be self-imposed in the "spirit of SALT," as they were in the case of the SS–9 weapons category, or they may be imposed through the medium of unenforceable and unverifiable agreements negotiated in SALT. The magnitude of the danger that the Soviet Union will not be bound to impose identical freezes on its own weapons development becomes quite apparent when one considers the possible outcome of a unilateral Soviet acquisition of a near-absolute capability in either ballistic missile defense or anti-submarine warfare. Either development could make U.S. nuclear forces obsolete virtually overnight.

Proponents of the present line of negotiations in SALT must face the fact that "national means of verification" are no more capable of detecting the covert development of new weaponry than they are capable of detecting the concealed production and deployment of current weapons systems. This fact becomes particularly understandable when the full potentialities for the use of deception in developmental testing are realized. Thus, in the final stage of testing, where the weapons system would presumably be most visible, it is quite feasible in most cases to disguise both the test and the system to appear as something else—either as the operation of a non-military system or as the testing of an already existing weapons system. History indicates that the Soviets are not beyond such subterfuges.

In the case of initial SS–9 developmental tests, New York Times correspondent William Beecher suggested on October 28, 1969 (pp. 1, 12) that the Soviets deliberately tried to conceal the nature of these tests by launching the missiles from an area normally reserved for non-military space vehicles.

"The new Soviet intercontinental missile [SS–9] is also a puzzlement. Its test firings from Plesetsk in northwest Russia, seemed to be of a new space vehicle. But analysis decided it was in fact an intercontinental missile when shots were fired at a test range in the Kamchatka Peninsula, 3,500 miles away. Until now the Russians have tested new missiles in the Pacific before displaying them. And they did not try to disguise the tests to look like something else, whereas, informed sources say, this time they did just that. Since the United States experts believe they may have to depend largely on reconnaissance satellites to police any arms control agreement, they are disquieted by presumed Soviet attempts to disguise their testing." [*Emphasis supplied.*]

While Mr. Beecher did not indicate the extent to which U.S. Intelligence operations were deceived by the SS–9 testing subterfuge, he did reveal a serious failure to predict the missile buildup which included the SS–9:

"As recently as last November, for example, the intelligence community predicted that the Soviet Union would stop deploying more intercontinental missiles when they had roughly equaled the 1054 in the American arsenal. The Russians have far exceeded this level, however, and show no sign of stopping."

A concrete example of one U.S. failure to determine the nature of early developmental testing by the Soviet Union has been cited by columnist Joseph Alsop. In an article

which appeared in the *Washington Post*, November 22, 1971 (p. A17), he described the initial U.S. reaction to the testing of a Soviet destroyer satellite, designed to blind reconnaissance satellites by exploding in their vicinity. According to Alsop, the successful exploding of this satellite near a target satellite, "was interpreted in reverse by the more wishful members of the intelligence community. It was said to be a sad failure, because the destroyer satellite had blown up while the target satellite continued on its course. In fact, as is now known, the target satellite was badly hit by pellets that the explosion of the destroyer satellite is designed to expel. As the target was a mere drone, this made no visible difference. But if the target has been a reconnaissance satellite the damage to the complex and vulnerable instrumentation would have caused instantaneous blinding."

It is notable that to date the U.S. has attempted only one mutual freeze on weapons development with the Soviet Union—and that this resulted in the Soviet development of the very weapons proscribed by the freeze. In April 1967 the United States ratified the Outer Space Treaty, which banned orbiting nuclear weapons but provided no means of either verifying or enforcing this ban. Seven months after the ratification of this treaty the world learned that the Soviets had broken the spirit, if not the letter, of the Treaty by developing a so-called Fractional Orbital Bombardment System (FOBS).

The FOBS was claimed to be exempt from the treaty because it orbited for less than a full revolution before launching its nuclear payload. Of course, this exempting feature was of scant comfort to the treaty signers. The resulting helplessness of the signers was indicated by the then-Secretary of Defense Robert S. McNamara. Asked how he would respond if FOBS were to be circulated for a full revolution or more, McNamara, according to the Washington Post of November 4, 1967, replied, "We will observe it".

Despite the lessons of history and logic the present SALT Treaty on ABM's embarks on the perilous course of attempting without inspection safeguards to prohibit the development, testing and deployment of "ABM systems or components which are sea-based, air-based or mobile land based". (Article V.) Senator Buckley, in his recent testimony on SALT, was particularly critical of this treaty clause, pointing out that it "would have the effect, for example, of prohibiting the development and testing of a laser type system based in space which could at least in principle provide an extremely reliable and effective system of defense against ballistic missiles". Here the potential danger is not just the denial of a means of defense to the U.S., but also the possibility that the Soviets themselves will acquire such a defense unilaterally through their own covert efforts.

Evidence now seems to be mounting that during SALT II there will be an attempt to promote a weapons technology freeze that would undermine the U.S. submarine capability at sea and interfere with our defense against anti-submarine warfare measures to place our second strike capability in hazard. Paradoxically, this freeze would be promoted in the name of *preserving* the U.S.-Soviet submarine deterrent forces by freezing anti-submarine warfare (ASW) developments. However, such a freeze must by its nature include also the development of countermeasures to ASW, which would be needed by the United States to guard against a covert development of advanced ASW technology by the Soviets.

If the Soviets gain the objective of a clear preponderance of offensive force by the present SALT agreements—and the crippling of our retaliatory power by subsequent agreements—they will have achieved the situation of nuclear checkmate for which they appear to be playing.

CONTEXT OF SOVIET NUCLEAR DOCTRINE

When considering the likelihood of Soviet subterfuges to evade the SALT agreements, one should take into account the doctrines which would cause such evasions.

It is important to recognize that the embodiment of the fullest capabilities for mobility and surprise in almost all aspects of their nuclear armament and its related doctrine, and the strategic deployment of their nuclear inventory, the Soviets proceed on the basic assumption that the capability for decisive offensive action is not only possible but mandatory. Such action is total in its concept and its applications to all elements of force within a wide range of alternative forms.

In no way, for example, does the Soviet operational planning or employment of combined forces call for a mutually exclusive distinction between "Strategic Forces" and "General Purpose Forces" as is the practice in the United States and to an increasing extent in the West. Indeed there are, within their system, modes of military thinking which have no real counterpart in the West which they call "operational art."[1] It is within this area that modern ideas about the application of nuclear warfare to the use of armored forces and the Grand Tactics of the land battle can be realistically explored and with the aim of victory in mind—at whatever cost. An examination of Soviet doctrine leaves no room for doubt that they believe in the essential validity of an overall strategy of combined arms within which ground forces and naval forces have a decisive strategic role.

SOVIET NUCLEAR DOCTRINE—GENERAL OBSERVATIONS

Before the Soviet Nuclear Weapons Program had gained full momentum, there were some evidences of a certain lack of precision in defining the nature of the military doctrine which would be needed in order to take these weapons into account. However, during the period 1954–55, a significant series of about fifty articles on nuclear warfare, modern weaponry, jet propulsion, radar, etc., appeared in the professional military press under the general title, "The Military-Technical Revolution", because these new developments were supposed to represent a break with the past and a new dimension in warfare was emphasized by Major General G. I. Pokrovsky who wrote in 1956:

"The appearance of the atomic weapons, long range rockets, guided missiles, supersonic aircraft, helicopters, nuclear-propelled warships, radar for reconnaissance and for bombing and for many other things have so strongly affected the possible means of combat that contemporary military affairs are completely dissimilar to what they were during the Great Fatherland War of 1941–45, or what they were in recent times in Korea. Therefore, at the present time, the partial experience of the wars of the past can only be regarded as important landmarks of the past and not as unchanging dogma determining military affairs of today and tomorrow." (Major General Engineering Technical Service, Prof. G. I. Pokrovsky, "Nauka i tekhnika v sovremennykh voinakh", Science and Technology in Contemporary Wars, Voenizdat, October 1956.)

However, in spite of some professional opinions which accepted the idea of the indecisiveness of modern war and concepts of deterrence similar to those held in the U.S., after the decision had been to attain overwhelming superiority ("podavliausche prevoskodstsvo" in their teminology), the tune of their pronouncements began to change rapidly.

Soviet Nuclear Doctrine has gone, in the main, through three phases:

(1) Lip service to Deterrence Theory and repudiation of the decisiveness of nuclear arms. This has reflected a position of aspiration and inferiority to the U.S.

(2) Acceptance of the possibility of decisive victory in war in which nuclear weapons are used but also postulating the need for teamwork for all arms. Nuclear striking power regarded as an extension of the fire-power of the Armed Forces—characteristic of the period of approach-to-parity.

(3) an emphatic re-assertion of the decisive potentialities of nuclear warfare and the attainment of victory by combined arms. Recognition of the primary role of nuclear strikes in gaining such decisions and of the importance of pre-emption or surprise. Indicative of the possession of conscious superiority in nuclear armament and more effective defensive arrangements.

The year 1965 was an important year in the evolution of Soviet Doctrine, and in the evolution of their weapons systems it signifies the abandonment of any further adherence to deterrence of theories of "sufficiency" and may well have been linked to important assessments of defensive or damage limiting systems. In the important study issued by the Royal United Services Institute for Defense Studies (London) in 1971 called "Soviet Military Power" by John Erickson there is the following observation:

"It might be argued that these assertions [by the Soviets] about 'superiority' were connected not so much with any real concept of numbers but rather with the attempt to introduce 'reality' into the discussion about nuclear war—that war between the two system *is* possible, that the concept of 'victory' or 'winning' continued to have meaning if effective margins of strength were brought into play and, above all, that undue reliance on 'deterrence' in the Khrushchev style was no substitute for the assurance that the Soviet Union can realistically stand up to the risk of nuclear war. This concept was summed up by Colonel Telyatnikov[2] who insisted upon the 'correct understanding by our cadres of the possibilities of conducting a victorious nuclear missile war', demanded an '*active struggle* for creation of *definite capabilities* for achieving victory' and dismissed 'passive dispositions or views of certain people which border on fatalism'."

Throughout the development of Soviet thinking on this subject runs the consistent thread of the dominance of trained professional military thought applied with imagination and perseverance to the task in hand and basing its conclusions and findings on tested and well-tried principles of war which have not been superseded by the arrival of nuclear weapons but which need to be reviewed and interpreted with full understanding. The Soviet Union has been judged by some without proper understanding to be a defensive power without agressive

[1] According to R. L. Garthoff, American author of "Soviet Military Doctrine" (Rand, 1953), the term "operativna iskusstva" (operational art) is unusual to the Western military man and may seem to overlap both strategy and tactics. Garthoff refers to the Soviet definition of this term as "the organization and conduct of military operations", wherein "the operational art occupies a middle position between strategy, the conduct of war and tactics, the study of battle". The concept has probably been developed by the Russians because the large standing armies that have always existed there, and the need to study theoretically the command of larger formations than divisions. The term may be said to correspond roughly to what is known outside Russia as "grand tactics".

[2] Colonel Telyatnikov in "Kommunist Vooruzhennykh Sil", No. 24, 1965.

intentions because, more than most, its professional military strategists study deeply and prize the importance of the defensive mode in war. After all, the Roman Legion, a fighting instrument of matchless offensive power for probably a longer period in history than any other and which conquered the known world for Rome, used to place the highest stress on defensive works and would build elaborate fortified camps night after night even without apparent need or an enemy presence. The Principle of Security is fundamental to warfare, and the Russians are supremely aware of this. Again Erickson:

"Such a position (Telyatnikov's) demanded an offensive-defensive 'mix' in order to induce the kind of stability which was contemplated; on the other hand, sections of American opinion held to the view that 'stability' was fundamentally connected with mutual vulnerability (or 'deterrence' and 'defense' are incompatibles) so that defensive measures such as the deployment of an ABM system embody an intention to gain 'invulnerability' and thus exert a de-stabilizing effect. The brunt of the post-Khrushchev arguments among Soviet specialists was quite the contrary, that 'deterrence' unsupported by 'defense' was both dangerous and unstable; at the same time, however, the offensive-defensive 'mix' or balance must have held out several obvious advantages, including that of surpassing American 'assured destruction' capabilities—bypassing might be an even better term." (R.U.S.I., "Soviet Military Power," pp. 43–44.)

In the same study, Erickson draws attention to the interesting fact that the announcement made by Mr. Gromyko on June 27, 1968 that the Soviet Union was ready to embark on the Strategic Arms Limitation Talks was made four days after the decision was made in the U.S. to embark on a major defensive system—"Safeguard". The great stress placed on Civil Defense and its obvious linkages with the highly developed Soviet Anti-Aircraft and Anti-Missile systems, taken together with the immense nuclear arsenal which the Russians have been stockpiling *during* the arms limitation talks, all underline the importance which they attach to these interrelated components of a modern first-strike capability.

The extremely ominous and menacing nature of this can be gauged by the revealing statement made by Marshal Nicolai Krylov, Commander of the Soviet Nuclear Missile Forces, which was quoted in an article in the *New York Times* by Wm. Beecher on September 12, 1969, shortly before the beginning of the SALT negotiations:

"The imperialist ideologists are trying to lull the vigilance of the world's people by having recourse to propaganda devices to the effect that there will be no victors in a future nuclear war. These false affirmations contradict the objective laws of history.

"Victory in war, if the imperialists succeed in starting it, will be on the side of world socialism."

SURPRISE IN SOVIET MILITARY DOCTRINE

In view of the great advantages of a surprise attack in terms of damage to the enemy—and the possibility of limiting one's own damage by means of a first strike combined with really effective damage-limiting active and passive systems—the role of surprise in Soviet military thinking needs to be examined in its relationship to possible first strikes.

In 1954–55 it began to be recognized in the Soviet Union that nuclear weapons and delivery systems provided an unparalleled opportunity for strategic surprise. In fact, since 1955, surprise has begun to be recognized by Soviet military circles as a means of achieving decisive and rapid success in war, especially if achieved by nuclear means. Although surprise had always been recognized as advantageous, it had not, hitherto, been recognized as potentially decisive.

One of the best known Soviet military writers who has extensively explored the factor of surprise has been Marshall P. Rotmistrov, who published a significant series of articles which appeared in "Voennaia Mysl", No. 2, Feb. 1955, "Voennyi Vestnik", No. 11, 1955 and "Kraznaia Zvezda", March 24, 1955. In these, he explored the differences between and the potential importance of preventive wars and pre-emptive strikes.

In regard to the concept of a sudden nuclear strike, some more than usually significant statements were made in a Soviet military article called "The Revolution in Military Affairs and Its Result". Near the beginning of the article occurs the following statement by the author, Lt. Gen. N. A. Sbitov: "The Communist Party and its Leninist Central Committee were the organizers and leaders of this revolution." (The reference is to the Revolution in Military Affairs.) The author continues,

"The Party reached the conclusion that the Armed Forces and the country as a whole must prepare for a war in which nuclear rocket weapons will be widely used; which will represent a decisive, classic collision of two, opposed world systems; and which will be distinguished by unprecedented violence, dynamic force and high maneuverability in combat operations . . .

"Nuclear rocket war signifies that the main means of armed combat, the main means of defeating the enemy, will be the nuclear weapon and the main means of delivering it to the target will be the rocket.

"The characteristics of the nuclear rocket weapon also cause the appearance of a new law in nuclear war which lies in the fact that war will be accompanied by massive extermination of people and massive destruction of resources. The action of this law calls for a change in the means of waging combat actions. The basic determining method of waging war is not the attack of the Ground Forces as it was earlier, but the *delivery of mass nuclear rocket strikes.* For instance, nuclear rocket strikes will deprive the U.S.A. of that geographical inaccessibility which it had earlier. In the event of war, the vital centers and strategic nuclear offensive weapons of the belligerents which are located throughout enemy territory, might turn out to be the main objectives of military actions.[3] This means that the line of separation between the front and the rear will disappear. The very meaning of "interior of the country" will become untenable because *the focus of armed combat will move to the interior of the territory of the belligerents.*

"The long range of strategic means makes it possible to achieve strategic-military and military political goals at the very beginning of the war. The enemy's strategic means of nuclear attack, economy, system of military administration and also main groupings of troops and naval forces in the theatre of military operations will undergo massive nuclear rocket strikes. (In the past, war was the other way around; the strategic successes were achieved or built up gradually, according to the tactical and operational successes.)

"The results of strategic rocket strikes must be used by the Ground Forces in full measure. The task of accomplishing the defeat of remaining groupings of enemy forces, occupying the enemy's territory, and protecting one's own country from invasion by the enemy's troops is given to them. Combat operations in naval theatres might have as a goal the defeat of the enemy's naval groups of forces, destroying his communications, and protecting one's own communications and coasts from nuclear strikes from the sea."

The article also contained the following:

"The revolution in military affairs brought about under the leadership of the Party solved the following problems:

"(1) The mass production of the nuclear weapon, as the main means of mass destruction was organized; and the mass production of rockets of various designations, as the basic means for delivering the rocket ammunition to the objectives of destruction was accomplished.

"(2) The equipping of the Soviet Army and Navy with the nuclear rocket weapon was fully completed, and the basic reorganization of the Armed Forces, connected with the introduction of the weapon was carried out.

"(3) Modern Soviet military doctrine which determines the new principles of Soviet military strategy, operational art, and tactics, was developed; and on the basis of the guiding instructions of the Communist party, the Soviet government, and the achievements of leading military-scientific thought, regulations and manuals were re-processed, taking into account the peculiarities and requirements of nuclear rocket war.

"(4) The retraining of all troop personnel, especially of officers, was carried out; a systematic and purposeful character was given to the mastering of the new sorts of complicated and powerful military equipment and weapons by the servicemen; this same thing was done in mastering new methods of combat operations; in the process of all this work, the high political consciousness, the military-theoretical and military-technological preparation of our military cadres and their ability always to be at the level demanded by contemporary theory and practice was once again demonstrated."

Thus, the revolution in military affairs is an accomplished fact. It led to basic quantitative changes in the military technological base of the Armed Forces and its structure. It marked a revolution in the method of waging war, a revolution in the theory of military art and the combat training of troops.[4]

It should be noted that the pronouncements presented above and other similar statements by Colonel V. V. Larionov in another article in the same book (entitled "A New Means of Fighting and Strategy") were made at about the time that initial plans must have been made for the massive nuclear development and deployment which now faces us.

The Soviet ideas on the means of achieving victories by the skilled use of nuclear arms are completely at variance with those in this country which have been largely conceived by civilian strategists with little or no experience rather than military men fully trained in the higher direction of war and in military practices. Soviet doctrine is one which confidently believes in the attainment of victory by such means, while U.S.

[3] The "counterforce" concept of attacking strategic nuclear offensive weapons is associated primarily with a first strike strategy, since these weapons would presumably already have served their intended functions by the time a second (retaliatory) attack could be launched. U.S. nuclear strategic thinking has tended to avoid the counterforce concept as "unthinkable" because of its association with a nuclear first strike.

[4] Excerpts from an article by Lt. Gen. of Aviation N. A. Sbitov entitled, "The Revolution in Military Affairs and Its Results". This appeared in the book, "Problems of the Revolution in Military Affairs", edited by Gen. P. M. Derevyanko, published by Voenizdat, Moscow, 1965. An English translation of Sbitov's article is presented in the book, "The Nuclear Revolution in Soviet Military Affairs", edited by Wm. R. Kintner and H. F. Scott, published by the University of Oklahoma Press, Norman, Oklahoma, 1968.

doctrine, still influenced by concepts of deterrence long rendered obsolete by the new imbalance, clings to a strictly defensive posture with any permissible action being of a retaliatory nature only—an action which is rapidly becoming less "credible". Russia's fully offensive posture is increasingly becoming defined in terms of a first strike—and this includes deployment plans for their rocket-carrying vessels and nuclear attack submarines, which menace our carrier fleet as well as posing a mounting threat to our submarine-based second strike capability. On the one hand there is an avowed and ready strategy of action imbued with offensive thinking while on the other there is the U.S. defensive doctrine and strategy which is completely oriented towards "countervalue" (i.e. population) targets rather than "counter-force" (military and strategic) targets. Under such conditions and with such a basic divergence in doctrine any further use of such terms as "parity", "strategic balance" or "nuclear symmetry" become completely meaningless.

PROSPECTS FOR THE NEAR FUTURE

One SALT critic has asserted that the current SALT agreements give the Soviets such an overwhelming superiority in nuclear weapons that they need go no further. He may be right. The presently estimated 3:1 Soviet advantage in deliverable nuclear megatonnage is certainly impressive.

On the other hand, the glaring omissions, inadequate verification means and gaping loopholes in the SALT agreements may tempt the Soviets to maintain their present momentum in weapons production, perhaps temporarily stockpiling their missiles to avoid jeopardizing the enormous advantages they now have under SALT.

In the case of the Soviet SS–9 missiles, even a small increment in these missiles could drastically increase the Soviet capabilities for a first strike against U.S. ICBM's. Secretary of Defense Melvin Laird once estimated that 420 SS–9's could wipe out 95% of the U.S. ICBM force. The Soviets are now known to have at least 300 of these missiles, and the SALT agreements will allow these to be replaced with even larger missiles. According to Secretary Laird's figures, the Soviets would have to produce only 120 more SS–9's to gain an overwhelming first strike capability against U.S. ICBM's. Of course the deployment of the limited U.S. ABM forces allowed by SALT will increase this Soviet first strike requirement, just as the allowed replacements for the SS–9's will reduce it.

Whatever may be the actual requirements for a Soviet first strike capability, these requirements must be quite modest in comparison to present Soviet production capabilities. In his June 29, 1972 press conference, President Nixon estimated that the Soviets have the capacity to produce 1000 additional ICBM's and 1000 additional ABM's over the next five years. There is little likelihood that the present SALT agreements can prevent the Soviets from using this capability if they choose to do so.

Even now the Soviets have an impressive first-strike capability which, however, they are unlikely to employ either directly or as a threat unless certain essential conditions are achieved. These will be achieved the next few years probably under five unless the most strenuous countermeasures are taken. Taking into account the evidence of impressive military defensive measures which they have installed and their extremely extensive and highly organized civil defense effort which they have developed and to which we have no equivalent whatsoever, it can only be said that instead of a situation of "strategic balance" or of "symmetry" leading to "deterrence" we are now within a situation of asymmetry which is becoming more acute as time progresses. Stability has been replaced by "Meta-stability" and will be replaced soon by extreme instability.

Thus, the opportunities which are likely to rise in the near future and which will tempt the Soviet Union into nuclear action or blackmail unless we evidence a capability and will check them by a vigorous and unmistakeable response will be overwhelming. Although superficially persuasive to the uninformed, the current U.S. concept of "sufficiency" is, in fact only an inducement for the Soviet Union to execute a military strategy of outright destruction relying on an overwhelming first strike or of "compellence" (successful nuclear blackmail) based on a fully credible threat of such a strike.

In the civil defense field the Soviet Union has now a highly trained population which could evacuate its cities in a crisis, enabling the military authorities to contemplate seriously a first strike. The facts of Soviet civil preparedness—and their relation to a Soviet first-strike capability—are thoroughly discussed by Dr. E. P. Wigner and Joanne Gailar in their recent article, "Will Soviet Civil Defense Undermine SALT?", published in the Washington newspaper, *Human Events*, July 8, 1972 (pp. 9, 10). Dr. Wigner, a recipient of the Nobel Prize for Physics and one of the nation's foremost authorities on civil defense, has estimated that if the Soviets carried out their elaborate plans for evacuating their cities and dispersing their population, a nuclear exchange might result in only 10 million Soviet deaths as compared to 100 million American deaths.

The possibility that damage of that order in the Soviet Union would not be considered unacceptable by the Soviet leadership is suggested by such statements as the following:

"In major contemporary war atomic or thermonuclear weapons may be employed in quantities of hundreds, thousands or even tens of thousands. The Soviets have shown that they can take losses. During World War II they lost control of 40% of the population, 40% of their grain production, 60% of their coal, iron, steel and aluminum output and 95% of key military industries such as ball-bearing production." (Maj. Gen. Pokrovsky, in Marxism-Leninism o voine i armii, Feb. 3, 1955.)

All these possibilities need to be understood and avoided in the US by the urgent and realistic adoption of new defense policies. Many of these policies have been canvassed but remain in abeyance for reasons which are far from clear. Without the adoption of a much more determined attitude and the completely convincing evidence of a powerful revival of the US military establishment which would include an improved identification with the nation as well as procurement of essential equipment, the survival of the US as an independent state and of all its friends and allies as free and sovereign members of the international community is placed in the gravest danger.

In regard to the SALT agreements currently under consideration, it should be emphasized that quite aside from the serious imbalances which they countenance, these agreements are totally unacceptable under any conditions because of the lack of any provisions for physical inspection. Real and lasting progress in arms limitation will be achieved only when there is an established right to physical inspection of nuclear armaments in all their levels of production, storage and deployment. Only then will the danger of nuclear war recede.

The United States presently has no recourse but to reject the unverifiable and unenforceable SALT agreements signed in Moscow and to demand that the Soviet Union evidence a sincere desire for peace by agreeing to arms limitations that are precisely defined and enforceable by ironclad provisions for on-site inspection. Until such time as meaningful and enforceable agreements are obtained, the United States must pursue those measures of weapons development and re-armament that are necessary to restore the credibility of its nuclear defenses.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. The Clerk will read the preamble.

The Clerk read as follows:

Whereas an Interim Agreement Between the United States of America and the Union of Strategic Offensive Arms and an associ- Measures With Respect to the Limitation of Strategic Offensive Arms and an associated protocol were signed on May 26, 1972; and

Whereas the said interim agreement provides that it shall enter into force upon exchange of written notices of acceptance by each party, such exchange to take place subject to and concurrently with the exchange of instruments of ratification of the treaty on the limitation of antiballistic missiles; and

Whereas this interim agreement is a significant first step away from an era of nuclear confrontation and toward an era of mutually agreed upon restraint and arms limitation between the two principal nuclear powers; and

Whereas the new era toward which this agreement points can be a time when the dangers of war are substantially lessened and when nations can turn more of their energies to the works of peace; and

Whereas this agreement and the treaty limiting ballistic missile defense were made possible by the maintenance in the United States of a strategic defense posture second to none; and

Whereas the success of these agreements and the attainment of more permanent and comprehensive agreements are dependent upon the continuing maintenance of that strategic posture and a sound strategic modernization program: Therefore be it

COMMITTEE AMENDMENT TO THE PREAMBLE

The CHAIRMAN. The Clerk will report the committee amendment to the preamble.

The Clerk read as follows:

Committee amendment: Strike out the preamble.

The committee amendment to the preamble was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DANIELS of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the joint resolution (H.J. Res. 1227) approving the acceptance by the President for the United States of the interim agreement between the United States of America and the Union of Soviet Socialist Republics on certain measures with respect to the limitation of strategic offensive arms, pursuant to House Resolution 1097, he reported the joint reso-

lution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment to the text of the joint resolution.

The amendment to the text of the joint resolution was agreed to.

The SPEAKER. The question is on the engrossment of the joint resolution.

The joint resolution was ordered to be engrossed.

The SPEAKER. The question is on the amendment to the preamble.

The amendment to the preamble was agreed to.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 330, nays 7, not voting 95 as follows:

[Roll No. 346]

YEAS—330

Abbitt	Byron	Fascell
Adams	Cabell	Findley
Alexander	Camp	Fish
Anderson, Ill.	Carey, N.Y.	Fisher
Anderson, Tenn.	Carlson	Flood
	Casey, Tex.	Flowers
Andrews, Ala.	Cederberg	Flynt
Andrews, N. Dak.	Celler	Foley
	Chappell	Ford, Gerald R.
Annunzio	Chisholm	Ford, William D.
Archer	Clausen, Don H.	
Arends		Fountain
Ashley	Clay	Fraser
Aspin	Cleveland	Frenzel
Aspinall	Collier	Frey
Badillo	Collins, Tex.	Fulton
Baring	Colmer	Fuqua
Barrett	Conable	Galifianakis
Begich	Conover	Garmatz
Belcher	Conyers	Gaydos
Bennett	Cotter	Gettys
Bergland	Culver	Giaimo
Bevill	Curlin	Gibbons
Biaggi	Daniel, Va.	Goldwater
Biester	Daniels, N.J.	Gonzalez
Bingham	Danielson	Goodling
Blackburn	Davis, Ga.	Grasso
Blatnik	Davis, S.C.	Gray
Boland	de la Garza	Green, Oreg.
Bolling	Delaney	Green, Pa.
Bow	Dellenback	Griffin
Brademas	Dellums	Gross
Brasco	Denholm	Grover
Bray	Dennis	Gubser
Brinkley	Dent	Gude
Brooks	Devine	Haley
Broomfield	Donohue	Hall
Brotzman	Dorn	Halpern
Brown, Mich.	Dow	Hamilton
Brown, Ohio	Downing	Hammer-schmidt
Broyhill, N.C.	Drinan	
Broyhill, Va.	Duncan	Hanley
Buchanan	du Pont	Hanna
Burke, Mass.	Eckhardt	Hansen, Idaho
Burleson, Tex.	Edwards, Calif.	Harrington
Burlison, Mo.	Eilberg	Harsha
Burton	Erlenborn	Hastings
Byrne, Pa.	Eshleman	Hathaway
Byrnes, Wis.	Evans, Colo.	Hawkins
Hechler, W. Va.	Mills, Ark.	Sebelius
Heinz	Mills, Md.	Seiberling
Helstoski	Minish	Shipley
Henderson	Mink	Shoup
Hicks, Mass.	Mitchell	Shriver
Hicks, Wash.	Mizell	Sikes
Hillis	Monagan	Sisk
Hogan	Montgomery	Skubitz
Holifield	Moorhead	Slack
Horton	Morgan	Smith, Calif.
Hosmer	Mosher	Smith, Iowa
Howard	Moss	Smith, N.Y.
Hunt	Murphy, Ill.	Snyder
Hutchinson	Murphy, N.Y.	Spence
Ichord	Myers	Staggers
Jacobs	Natcher	Stanton, J. William
Jarman	Nedzi	
Johnson, Calif.	Nix	Stanton, James V.
Johnson, Pa.	Obey	
Jonas	O'Hara	Steed
Jones, Ala.	O'Konski	Steele
Jones, N.C.	O'Neill	Steiger, Wis.
Jones, Tenn.	Patman	Stephens
Karth	Patten	Stokes
Kastenmeier	Pepper	Stratton
Kazen	Perkins	Stubblefield
Keating	Pettis	Sullivan
Kee	Pickle	Symington
Kemp	Pike	Taylor
King	Pirnie	Teague, Calif.
Koch	Poage	Teague, Tex.
Kyl	Podell	Thompson, Ga.
Kyros	Poff	Thompson, N.J.
Latta	Powell	Thomson, Wis.
Leggett	Preyer, N.C.	Tiernan
Lent	Price, Ill.	Udall
Link	Price, Tex.	Vander Jagt
Long, Md.	Pucinski	Vanik
McCloskey	Purcell	Vigorito
McClure	Quie	Waggonner
McCollister	Randall	Wampler
McCormack	Rangel	Ware
McCulloch	Rees	Whalley
McDonald, Mich.	Reuss	White
	Roberts	Whitehurst
McFall	Robinson, Va.	Whitten
McKay	Robison, N.Y.	Widnall
McKevitt	Rodino	Wiggins
Macdonald, Mass.	Roe	Williams
	Rogers	Wilson, Charles H.
Madden	Roncalio	
Mahon	Rooney, Pa.	Winn
Mailliard	Rosenthal	Wolff
Mallary	Rostenkowski	Wright
Mann	Roush	Wyatt
Martin	Roy	Wylie
Mathias, Calif.	Roybal	Wyman
Mathis, Ga.	Ruth	Yates
Matsunaga	St Germain	Yatron
Mayne	Sandman	Young, Fla.
Mazzoli	Sarbanes	Young, Tex.
Meeds	Saylor	Zablocki
Mikva	Scherle	Zwach
Miller, Calif.	Scheuer	
Miller, Ohio	Schwengel	

NAYS—7

Ashbrook	Rousselot	Stuckey
Crane	Satterfield	
Landgrebe	Schmitz	

NOT VOTING—95

Abernethy	Edwards, Ala.	Mollohan
Abourezk	Esch	Nelsen
Abzug	Evins, Tenn.	Nichols
Addabbo	Forsythe	Passman
Anderson, Calif.	Frelinghuysen	Pelly
	Gallagher	Peyser
Baker	Griffiths	Pryor, Ark.
Bell	Hagan	Quillen
Betts	Hansen, Wash.	Railsback
Blanton	Harvey	Rarick
Boggs	Hays	Reid
Burke, Fla.	Hébert	Rhodes
Caffery	Heckler, Mass.	Riegle
Carney	Hull	Rooney, N.Y.
Carter	Hungate	Runnels
Chamberlain	Keith	Ruppe
Clancy	Kluczynski	Ryan
Clark	Kuykendall	Schneebeli
Clawson, Del	Landrum	Scott
Collins, Ill.	Lennon	Springer
Conte	Lloyd	Steiger, Ariz.
Corman	Long, La.	Talcott
Coughlin	Lujan	Terry
Davis, Wis.	McClory	Thone
Derwinski	McDade	Ullman
Dickinson	McEwen	Van Deerlin
Diggs	McKinney	Veysey
Dingell	McMillan	Waldie
Dowdy	Melcher	Whalen
Dulski	Metcalfe	Wilson, Bob
Dwyer	Michel	Wydler
Edmondson	Minshall	Zion

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bob Wilson.
Mr. Rooney of New York with Mr. Frelinghuysen.
Mr. Addabbo with Mr. Forsythe.
Mr. Reid with Mr. Peyser.
Mr. Waldie with Mr. Del Clawson.
Mr. Hays with Mr. Conte.
Mrs. Hansen of Washington with Mrs. Dwyer.
Mr. Blanton with Mr. Baker.
Mr. Boggs with Mr. Rhodes.
Mr. Carney with Mr. Harvey.
Mr. Clark with Mr. Schneebeli.
Mr. Landrum with Mr. Betts.
Mr. Kluczynski with Mr. Railsback.
Mr. Melcher with Mr. Nelsen.
Mr. Mollohan with Mr. Bell.
Mr. Nichols with Mr. Clancy.
Mr. Ryan with Mr. Riegle.
Mrs. Griffiths with Mr. McDade.
Mr. Evins of Tennessee with Mr. Chamberlain.
Mr. Dulski with Mr. Coughlin.
Mr. Dingell with Mr. Esch.
Mr. Van Deerlin with Mr. Collins of Illinois.
Mr. Ullman with Mr. Ruppe.
Mr. Passman with Mr. Edwards of Alabama.
Mr. Gallagher with Mr. Metcalfe.
Mr. Runnels with Mr. Lloyd.
Mr. Hagan with Mr. Derwinski.
Mr. Diggs with Mr. Hull.
Mr. Abernethy with Mr. Dickinson.
Mrs. Abzug with Mr. Long of Louisiana.
Mr. Anderson of California with Mr. Lujan.
Mr. Caffery with Mr. Burke of Florida.
Mr. Corman with Mr. Talcott.
Mr. Abourezk with Mr. Davis of Wisconsin.
Mr. Hungate with Mr. Quillen.
Mr. Lennon with Mr. Carter.
Mr. Edmondson with Mrs. Heckler of Massachusetts.
Mr. Pryor of Arkansas with Mr. McClory.
Mr. Rarick with Mr. Keith.
Mr. McMillan with Mr. Kuykendall.
Mr. Dowdy with Mr. Pelly.
Mr. Whalen with Mr. McEwen.
Mr. Kinney with Mr. Terry.
Mr. Steiger of Arizona with Mr. Michel.
Mr. Thone with Mr. Minshall.
Mr. Springer with Mr. Scott.
Mr. Wydler with Mr. Zion.

The result of the vote was announced as above recorded.

The title was amended so as to read: "Approval and authorization for the President of the United States to accept an Interim Agreement Between the United States of America and the Union of Soviet Socialist Republics on Certain Measures With Respect to the Limitation of Strategic Offensive Arms."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter of the joint resolution just passed (H.J. Res. 1227).

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERSONAL EXPLANATION

Mrs. ABZUG. Mr. Speaker, I was inadvertently detained on business on roll-

call No. 329. Had I been present, I would have voted "yea."

CONFERENCE REPORT ON S. 3726, EQUAL EXPORT OPPORTUNITY ACT AND INTERNATIONAL ECONOMIC POLICY ACT OF 1972

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1102 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to consider the conference report on the bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes, the provisions of clause 2, Rule XXVIII notwithstanding.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, as a reading of the resolution indicates, this is a simple resolution making in order the consideration of the conference report on S. 3726 for the extension of the Export Administration Act of 1969.

Mr. Speaker, this rule has become necessary according to the rules of the House that the conference report has to be allowed to lie over for 3 days. It is a simple procedure to waive that 3-day provision.

Mr. Speaker, I reserve the balance of my time.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 2 days ago we had a resolution here on the floor to permit any conference report to be considered during the last 3 days of this week even though the 3-day intermission requirement under clause 2 of rule XXVIII was not observed. That resolution was defeated by a rather large vote. I think possibly we may have done wrong in the Rules Committee in having it so broad because it was not known whether there would be other reports.

I believe, however, the only one we were really concerned about was S. 3726, the Export Administration Act of 1969.

Mr. Speaker, we are here today with this resolution to waive the 3-day requirement rule for a conference report to be available so that we can consider this particular measure. The 3 days will not be up until tomorrow. In other words, tomorrow would be the first time this conference report could be considered.

I doubt that I will vote for the conference report. Mr. Speaker, in my opinion this is an extremely important matter, and I should like for the Members to give consideration to adopting this resolution.

Mr. Speaker, we are in a state of confusion on the cattle hide situation. We have had arrangements in the Export-Import Control Act where, under the situation, both Houses legislated, and then subsequent thereto we had to have a control program, which calls for the export of a ticket system which goes into effect on September 1, 1972.

The Department of Commerce has already scheduled the issuance of these tickets, starting August 17, 1972, which was yesterday.

The entire cattle hide industry is already in a state of grave uncertainty with respect to whether or not the Congress is going to defeat this provision or permit it to exist. In all fairness, Mr. Speaker, it seems to me we should take this bill under consideration and either vote it up or vote it down.

I realize the House took action on the so-called Commission, or whatever it was, which was included in the bill, to strike it out, and that it is now back in the conference report, which I do not like. Mr. Speaker, the administration has been operating, just as previous administrations did, under the Trading With the Enemy Act. Although this is probably a correct power to operate under, some place, some time—and today, in my opinion—we should straighten this out so that the departments will know what they are going to do, and the administration will know, and the cattle hide people will know one way or the other.

Mr. Speaker, I would urge that we adopt House Resolution 1102 and then decide what we are going to do with this conference report. If the Members want to vote it down, then vote it down. Let us not play games this afternoon. Let us dispose of this. We have some other business to get to. We had a big night last night.

I would suggest and hope, Mr. Speaker, that the Members seriously consider this. I have never, in my 16 years here, and 11 years on the Rules Committee, misled any Member of this body. In my opinion this measure has to be disposed of one way or the other before we adjourn tonight.

I urge the adoption of House Resolution 1102.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to my friend, the gentleman from Massachusetts (Mr. BURKE); but, Mr. Speaker, I do so with one reservation; namely, that the gentleman does not pay me the dubious compliment which he did the other day when I yielded to him on the previous consideration of this matter.

Mr. BURKE of Massachusetts. Mr. Speaker, I want to thank my good and gracious friend, the chairman of the Rules Committee for yielding me this time.

It is not my intention to take up too much time in this debate. This is the same subject matter we discussed, I believe, about 24 hours ago. I was opposing at the time the rushing through of this type of legislation.

This is a very complex bill. I know the cattle people have been misled into believing that this legislation is going to help them. Actually, what this bill will do is set up a new advisory council, and we are going to have a new Henry Kissinger on the scene, I believe, in the person of Peter Flanigan.

Of course, if there is a change in the Presidency next year, the place of Peter Flanigan will be more likely taken by Pierre Salinger. So that is what you are confronted with here on some of the parts that have not been discussed in this bill.

I have nothing against Pierre Salinger or Peter Flanigan, but I will say this: We have enough advisory councils now.

This bill is really a far-reaching piece of legislation. The tanneries in my district tell me that if we can hold this bill up for a couple of weeks, they might be able to get a supply of hides in to continue their business. It almost puts them in a position where they can negotiate for high-grade hides that they cannot get now.

I am pleading with this House on behalf of the Members on the other side, about 20 of them, who are today down in Miami Beach trying to formulate the rules and guidelines for the Republican Party convention. Some of those Members would like to be heard on this legislation, but they will not have a chance. They are not going to have a chance. So I cannot see how any Member on that side can allow a bill like this to go through that will deprive them of their right to speak for their constituency.

I know there are enough spokesmen on the other side to speak on behalf of the 20 Members in Miami, but let us consider those Members anyway, and let us consider the other cattle people here who are being led around believing this legislation will help them.

This does not help you in any way, shape, or form. You have been misled. You have been misled by people who speak with forked tongues.

Mr. Speaker, we can get out of here by 3 o'clock this afternoon and we will be on our way back home and come here after the recess completely rested and with a new, fresh frame of mind and look at this legislation in its proper perspective. I do not know. I might even vote for it then. But I would be very hesitant to vote for it now.

Another question that comes up here is the jurisdiction of this type of legislation. I do not know what it is doing over in Mr. PATMAN'S committee. This is a trade bill if I have ever seen one.

So there are a lot of questions that can be raised. I do not want to go on until midnight fighting this bill when we can get out of here by 3 o'clock. Let us vote down the rule, and when we come back after the recess we will deal with it in a very fair and equitable manner.

Mr. GROSS. Will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the gentleman.

Mr. GROSS. The gentleman's solicitude for the Republicans and their convention overwhelms me.

Mr. BURKE of Massachusetts. I want to point out to my good friend from Iowa I have a great deal of solicitude for the Republican Party, because I was the first Democrat in 100 years in my district, and if it were not for the Republican votes I received that year, I would never be here. So I always think of you fellows. I like you.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. BURKE of Massachusetts) there were—ayes 58, noes 21.

TELLER VOTE WITH CLERKS

Mr. CLEVELAND. Mr. Speaker, I demand tellers.

Tellers were ordered.

Mr. CLEVELAND. Mr. Speaker, I demand tellers with clerks.

Tellers with clerks were ordered; and the Speaker appointed as tellers Messrs. COLMER, BURKE of Massachusetts, SMITH of California, and CLEVELAND.

The Committee divided, and the tellers reported that there were—ayes 194, noes 111, not voting 127, as follows:

[Roll No. 347]

[Recorded Teller Vote]

AYES—194

Abbitt	Galifianakis	Natcher
Anderson, Ill.	Gonzalez	Nedzi
Andrews, Ala.	Green, Oreg.	O'Konski
Andrews, N. Dak.	Griffin	Patman
	Gross	Pettis
Archer	Grover	Pickle
Arends	Gubser	Poage
Ashley	Gude	Poff
Aspinall	Haley	Powell
Baring	Hall	Preyer, N.C.
Barrett	Hammer-schmidt	Price, Tex.
Belcher		Purcell
Bennett	Hanna	Quie
Bergland	Hansen, Idaho	Randall
Bevill	Harsha	Rees
Blatnik	Hastings	Reuss
Bolling	Helstoski	Roberts
Bow	Henderson	Robinson, Va.
Brademas	Hicks, Wash.	Roe
Bray	Hogan	Rogers
Brinkley	Horton	Roncalio
Brooks	Hosmer	Roush
Brotzman	Hunt	Roy
Brown, Mich.	Hutchinson	Ruth
Brown, Ohio	Jarman	Sandman
Broyhill, N.C.	Johnson, Calif.	Satterfield
Broyhill, Va.	Johnson, Pa.	Scherle
Buchanan	Jonas	Schwengel
Burleson, Tex.	Jones, Ala.	Sebelius
Burlison, Mo.	Jones, N.C.	Shoup
Burton	Kastenmeier	Shriver
Byrnes, Wis.	Kazen	Sikes
Cabell	Kee	Sisk
Camp	Kyl	Skubitz
Carlson	Landgrebe	Smith, Calif.
Casey, Tex.	Latta	Smith, Iowa
Cederberg	Leggett	Smith, N.Y.
Chappell	Lent	Spence
Clausen, Don H.	Link	Stanton, J. William
	Long, Md.	
Collier	McCloskey	Steed
Collins, Tex.	McClure	Stubblefield
Colmer	McCollister	Sullivan
Conable	McCormack	Taylor
Conover	McCulloch	Teague, Calif.
Culver	McFall	Thompson, Ga.
de la Garza	McKevitt	Thomson, Wis.
Dellenback	Mahon	Udall
Denholm	Mailliard	Vander Jagt
Dorn	Mallary	Vigorito
Downing	Mann	Waggonner
Duncan	Martin	Wampler
du Pont	Mathias, Calif.	Ware
Eckhardt	Mathis, Ga.	Whalley
Erlenborn	Matsunaga	White
Evans, Colo.	Mayne	Whitehurst
Findley	Meeds	Whitten
Fish	Mikva	Widnall
Fisher	Mills, Md.	Wiggins
Flowers	Minish	Williams
Foley	Mizell	Winn
Ford, Gerald R.	Montgomery	Wright
Fountain	Moorhead	Wyatt
Fraser	Morgan	Young, Fla.
Frenzel	Mosher	Young, Tex.
Frey	Myers	Zwach

NOES—111

Abzug	Ashbrook	Bingham
Adams	Aspin	Blackburn
Alexander	Begich	Boland
Anderson, Tenn.	Biaggi	Burke, Mass.
	Biester	Byrne, Pa.
Byron	Hamilton	Podell
Celler	Hanley	Price, Ill.
Chisholm	Harrington	Pucinski
Clay	Hathaway	Rangel
Cleveland	Hechler, W. Va.	Robison, N.Y.
Conyers	Heinz	Rodino
Cotter	Hicks, Mass.	Rosenthal
Crane	Howard	Rostenkowski
Daniel, Va.	Jacobs	Rousselot
Daniels, N.J.	Jones, Tenn.	Roybal
Danielson	Karth	St Germain
Davis, S.C.	Keating	Sarbanes
Delaney	King	Scheuer
Dellums	Koch	Schmitz
Dent	Kyros	Selberling
Devine	McKay	Shipley
Donohue	Madden	Slack
Dow	Mazzoli	Snyder
Drinan	Miller, Calif.	Staggers
Edwards, Calif.	Miller, Ohio	Steele
Eilberg	Mills, Ark.	Steiger, Wis.
Eshleman	Mink	Stratton
Flood	Mitchell	Symington
Flynt	Monagan	Teague, Tex.
Fulton	Moss	Vanik
Garmatz	Murphy, Ill.	Wolff
Gaydos	Nix	Wylie
Giaimo	Obey	Wyman
Goldwater	O'Neill	Yates
Goodling	Patten	Yatron
Grasso	Perkins	Zablocki
Gray	Pike	
Green, Pa.	Pirnie	

NOT VOTING—127

Abernethy	Forsythe	Nichols
Abourezk	Frelinghuysen	O'Hara
Addabbo	Fuqua	Passman
Anderson, Calif.	Gallagher	Pelly
	Gettys	Pepper
Annunzio	Gibbons	Peyser
Badillo	Griffiths	Pryor, Ark.
Baker	Hagan	Quillen
Bell	Halpern	Railsback
Betts	Hansen, Wash.	Rarick
Blanton	Harvey	Reid
Boggs	Hawkins	Rhodes
Brasco	Hays	Riegle
Broomfield	Hébert	Rooney, N.Y.
Burke, Fla.	Heckler, Mass.	Rooney, Pa.
Caffery	Hillis	Runnels
Carey, N.Y.	Holifield	Ruppe
Carney	Hull	Ryan
Carter	Hungate	Saylor
Chamberlain	Ichord	Schneebeli
Clancy	Keith	Scott
Clark	Kemp	Springer
Clawson, Del	Kluczynski	Stanton, James V.
Collins, Ill.	Kuykendall	
Conte	Landrum	Steiger, Ariz.
Corman	Lennon	Stephens
Coughlin	Lloyd	Stokes
Curlin	Long, La.	Stuckey
Davis, Ga.	Lujan	Talcott
Davis, Wis.	McClory	Terry
Dennis	McDade	Thompson, N.J.
Derwinski	McDonald, Mich.	Thone
Dickinson		Tiernan
Diggs	McEwen	Ullman
Dingell	McKinney	Van Deerlin
Dowdy	McMillan	Veysey
Dulski	Macdonald, Mass.	Waldie
Dwyer		Whalen
Edmondson	Melcher	Wilson, Bob
Edwards, Ala.	Metcalfe	Wilson, Charles H.
Esch	Michel	
Evins, Tenn.	Minshall	Wydler
Fascell	Mollohan	Zion
Ford, William D.	Murphy, N.Y.	
	Nelsen	

So the resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I call up the conference report on the bill (S. 3726) to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 15, 1972.)

Mr. PATMAN (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. DENT. Mr. Speaker, reserving the right to object, I would like to ask a question. I do not object. All of us would like to leave because we have had a long week, but I would like to know if the chairman is prepared to give a few minutes or so to those of us who have something to say.

Mr. PATMAN. I will certainly be delighted to.

Mr. DENT. I thank the gentleman from Texas.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this measure returns from conference with two titles designed to promote American exports and increase employment here in the United States.

Title I of the bill extends and amends the Export Administration Act of 1969 and requires that the Secretary of Commerce act expeditiously to eliminate unilateral controls on the export of peaceful, nonstrategic goods.

The conferees adopted Senate provisions which would require the Secretary of Commerce to investigate which items should no longer be subject to export controls because they are not significant to the national security of the United States and require the President to remove unilateral export controls on items he determines are available in significant quantity and quality comparable to those produced here, except when he determines that the absence of controls would prove detrimental to our national security.

Another Senate provision adopted by the conferees requires that the Secretary of Commerce report to the Congress not later than 9 months after the date of enactment of this act concerning steps he has taken to reduce our unilateral controls, and a provision that the Secretary of Commerce shall report items and information subject to control procedures which are more burdensome than procedures of our allies.

The conferees also adopted a Senate provision which requires the Secretary of Commerce to establish technical advisory committees to assist in reducing both unilateral and multilateral export controls. The House receded to the Senate with an amendment which eliminated the requirement that the members of any such committee be compensated. The House conferees substituted a provision which authorizes the Secretary to reimburse any such member for travel and subsistence, when appropriate, upon request of the member.

The Senate provisions of title I agreed

to by the House constituted an explicit expression of the legislative intent indicated by your Committee on Banking and Currency in House Report 92–1260. In that report we indicated that the required reviews and revisions established in the 1969 act to be made by the Secretary of Commerce have not been made promptly and that consultations with industry have left much to be desired. The House report indicated that there shall be established technical advisory committees composed of representatives of relevant Federal agencies and relevant producers for each group of commodities which is subject to export controls because of its significance to national security and which is difficult to evaluate for technical reasons.

The House report further indicated that such committees should be activated expeditiously, with emphasis on commodity groups for which there is a significant export potential, and that such committee should have representatives from producers of the commodities to be reviewed. The House report further stated that consultative reviews should include the commodities under both multilateral control and unilateral control.

The House gave this expression of legislative intent in order to clarify the meaning of section 4(a)(1) and section 5(a) of the 1969 act. The Senate provisions agreed to by the House conferees are entirely consistent with the action taken by the House in consideration and passage of H.R. 15989.

Title II of the bill creates on a temporary, statutory basis until June 30, 1973, a Council on International Economic Policy in the Executive Office of the President. We are very hopeful that this Council can provide, on a statutory basis, an even better focus on solutions of U.S. trade, foreign investment, and monetary problems than has been the case until now.

The establishment of a linkage between the executive and the Congress in the forging of a more rational international economic policy, and in developing more consistency between domestic and international economic policy can be achieved with adoption of the title in the Senate bill.

The purpose of this Council is to provide for closer interagency coordination because there are many departments and agencies of the Federal Government operating in the international economic policy area, often at cross-purposes and because better coordination is needed between domestic and foreign economic policy.

The membership of the Council includes the President and nine Cabinet officers and executive office officials. The duties of the Council include advising and assisting the President in the preparation of an International Economic Report, reviewing the policies of the many agencies operating in the international economic policy area, and making recommendations to the President for improving and making more consistent our international economic policy.

The Senate bill provided that the President, with the assistance of the Council, shall submit an annual international economic report to the Congress.

The Senate bill further provided for a Council staff to be headed by an Executive Director. The Executive Director would be required to keep the appropriate committees of both the House and the Senate fully and currently informed regarding the activities of the Council.

The Senate bill authorized $1,400,000 for the Council for fiscal year 1973 and provided that the legislation creating the Council shall expire on June 30, 1973, unless specifically extended by legislation enacted by the Congress.

The House amendments contained no similar provision. Among the amendments to the Senate provision accepted by the House conferees there was the provision that, in connection with the duty of the Council to review the activities and the policies of the U.S. Government, there was stricken explicit reference to a specific international agreement and to specific trading partners. The conferees agreed that the remaining language was broad enough to allow the Council to review any such trade relationships.

In connection with the appointment of an Executive Director for the Council, it was agreed to delete the requirement that he be an assistant to the President.

The conferees unanimously agreed that the work of the Council and the report of the President shall include the following objectives:

First, strengthening the U.S. competitive position in world trade;

Second, achieving equilibrium in international payment accounts of the United States;

Third, increasing exports of goods and services;

Fourth, protecting and improving the earnings of foreign investments consonant with the concepts of tax equity and the need for domestic investment;

Fifth, achieving freedom of movement of people, goods, capital, information, and technology on a reciprocal and worldwide basis;

Sixth, increasing the real employment and income of workers and consumers on the basis of international economic activity; and

Seventh, preserving the diversified industrial base of the United States.

Mr. CULVER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CULVER. I thank the gentleman for yielding.

Mr. Speaker, I regret the complete retreat of the House conferees on the question of confirmation of the Executive Director by the Senate. In addition, in the colloquy this afternoon, I hope to clarify this question of appearances by the Executive Director before congressional committees and his availability for normal committee hearings. However, we did, in our action on the floor, provide one safety valve in the insistance that the authorized life of the Council not extend beyond June 30, 1973, unless there is affirmative renewal by the Congress. This will clearly put the burden on the Executive to prove and establish that the Council is the best mechanism for coordinating U.S. foreign economic policy, and on the Council and its Executive Director to, in fact, fulfill their declared intention of keeping the Congress fully and currently informed. The Subcommittee on Foreign Economic Policy will for one closely monitor the activities of the Council and will await the unstinted cooperation of the Executive Director and the other members of the Council.

The most appropriate administrative structure for the harmonization of foreign economic policy is a complex question and is currently the basis of hearings before the Foreign Affairs Committee. The recommendations from this inquiry will be available by the end of this Congress.

The results of these hearings should better equip Congress to carefully monitor the work of CIEP. In addition, it should help us make a judgment on the desirability of its existence as a statutory body and the discharge of its obligation to be accountable and responsive to proper congressional involvement in this extremely critical area of U.S. foreign policy.

In addition, Mr. Speaker, I realize the imperative necessity to act promptly on the provision in the legislation which repeals the Presidents order limiting the export of cattle hides. If this order is permitted to stand it would result in an increase in the cost of dressed beef to the consumer and a reduction in the return to the farmer on the hide.

Mr. WIDNALL. Mr. Speaker, I rise in support of the conference report and yield myself such time as I may consume.

Mr. Speaker, I rise to support the conference report. This bill extends and amends the Export Administration Act of 1969 and establishes a Council on International Economic Policy.

Title I of the bill amends the Export Administration Act and requires that the Secretary of Commerce move swiftly to end unilateral U.S. controls on the exports of peaceful nonstrategic goods. This will have the effect of promoting American exports and increasing jobs here in the United States by allowing our industries to better compete in the Eastern European market. Of course, we will still maintain controls on those goods of strategic and national security importance.

Title II of this bill gives a statutory imprint to a Council on International Economic policy within the Executive Office of the President. This Council, which was created by presidential memorandum in January 1971, has been in existence for the last 18 months, but has been crippled because of a lack of funds and because it did not have statutory approval. What the Congress is doing here is to give the Council legislative sanction and assuring that the Congress is in a better position to be informed of and to review the operations of the Council.

The legislation specifically requires that the appropriate congressional com-

mittees be kept fully and currently informed regarding the activities of the Council. This is a specific responsibility of the Executive Director of the Council.

Since there has been some misunderstanding as to what this provision requires, I would like to make the record clear.

The conference committee considered this question during three session which were held on the bill. It was agreed that the "fully and currently informed" provisions does not require the Executive Director to testify formally before congressional committees. The conference committee specifically rejected a proposition that the Executive Director be required to testify. It also rejected a proposal that such an understanding be included in the statement of managers.

Although the legislation does not mention that the Executive Director of the Council is to be an assistant to the President, it is a possibility that the President would appoint a Presidential assitant to that position as is the situation now. In such a case, it is not intended to alter the longstanding tradition that those who hold such a position and therefore have a personal and confidential staff relationship to the President do not testify.

However, as I stated earlier, it is understood that the Executive Director shall keep the enumerated committees fully and currently informed of the Council's activities. This will assure an adequate exchange of views and information. I have been assured that the Executive Director of CIEP will make himself available for informal meetings and briefings with Members and committees of the Congress.

Additionally, the annual report by the President on international economic matters which is required by the bill is another available means of keeping the Congress informed.

Beyond all this, however, Congress has retained direct control over the Council by giving it a short life. The legislation will expire in June of 1973. If the Council is not forthcoming during this period the Congress need not extend its life.

Fundamentally, what the conferees agreed to on this title is very similiar to the action the House took on August 3 before it struck this title from the bill. The only exception is that the House had agreed to an amendment by a voice vote which required Senate confirmation of the Executive Director. Since this was not in the Senate bill, it was not a point of discussion in conference.

Mr. Speaker, I believe the conferees have come up with a good bill. I think we will have a good relationship with the Council, and I certainly think we should give it a trial run.

I recommend that the House accept the conference report.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. Mr. Speaker, I take this time simply to point out to the membership of the House that the items in disagreement between the House conferees and the Senate were very few.

As all of you know, the amendment which would diminish the control of agricultural exports was in both the House and Senate versions of this legislation. So, obviously, that was beyond the consideration of the conference.

The major item in disagreement was with respect to the statutory establishment of a Council on International Economic Policy.

Mr. Speaker, I would like to say to the membership that the House conferees sought to insist on the action taken by the House. Finally, it was the thought and the decision of the House conferees by a vote of some 6 to 3, the six being equally divided between the majority and minority party members, that the Senate version be retained. There were three that were in disagreement.

That was the only major item in disagreement. It was resolved, as you find expressed in the conference report.

The SPEAKER. The time of the gentleman has expired.

(Mr. PATMAN asked and was given permission to proceed for 2 additional minutes.)

Mr. CULVER. Mr. Speaker, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. CULVER. I appreciate the gentleman yielding. I have a question at this point in the debate, and that is I am concerned with the interpretation given to the conference report by the gentleman from New Jersey as well as remarks on the floor of the other body by one minority Senate conferee regarding the understanding of the conferees with respect to the issue of accountability to the Congress by the executive director.

As the gentleman from Ohio knows, I believe the House voted clearly and emphatically on this issue in the course of the debates a week ago.

I wonder whether or not the gentleman from Ohio a manager on the part of the House in the conference would be good enough to state his understanding concerning the obligation of the Executive Director to appear before the appropriate committees of the Congress enumerated in the conference report. Is this understood as an obligation on behalf of the executive director to appear before the committees in the regular course—or had that issue actually been considered and resolved as indicated by the statement earlier by the gentleman from New Jersey.

Mr. ASHLEY. It is my very firm understanding, I will say to my friend, the gentleman from Iowa, it was the consensus of the conferees, of both the House and Senate, that this issue be obviated by striking the Senate language that would have provided that executive director shall be a special assistant to the President.

Now there is nothing that would say an executive director, if he is simply appointed and holds no other position, should not appear before the appropriate committees of the Congress. Why on earth should he not?

The SPEAKER. The time of the gentleman has expired.

(Mr. PATMAN asked and was given permission to proceed for 2 additional minutes.)

Mr. ASHLEY. We sought to obviate the issue of Presidential prerogative with respect to confidentiality and privilege by striking the language—"shall be a special assistance to the President." We simply placed the focus on the duties of an Executive Director, which we felt would embrace a task of considerable scope and importance.

But we did not—and I repeat—we did not resolve the question of the availability or the nonavailability of an Executive Director who prospectively might also be a special assistant to the President.

Now that is my firm understanding, notwithstanding the comments of the gentleman from New Jersey and of a minority conferee from the other body.

Mr. WYLIE. I think that would be the understanding of the gentleman from New Jersey.

Mr. ASHLEY. I will go further and say that it was the intent of all of the conferees that there be no explicit language requiring or exempting the appearance of the Executive Director formally before committees if he happens to be a personal assistant to the President.

Mr. PATMAN. Mr. Speaker, will the gentleman yield to me?

Mr. ASHLEY. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, I concur in the views expressed by the gentleman from Ohio (Mr. ASHLEY). It was the consensus of the conferees that they wanted this Executive Director to appear before congressional committees, and by using the title, "Assistant to the President"—it was felt that that language would be sufficient to excuse him. from testifying before congressional committees. In order to get away from that contention, we agreed to strike out that he would be "Assistant to the President," so he would not be Assistant to the President.

Therefore, although the law does not require him to appear before congressional committees, in striking out that language, "Assistant to the President," which it was insisted would exempt him from appearing, of course, that leaves him where he will have to appear before congressional committees. And if he does not, the law will expire 10 months from now, and I assure you that the President will have a difficult time getting an Executive Director who has refused to appear before congressional committees.

Mr. J. WILLIAM STANTON. Mr. Speaker, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, I just want to ask a couple of simple questions. Basically it is what came out of our committee; would the gentleman from Ohio agree?

Mr. ASHLEY. Yes, it is.

Mr. J. WILLIAM STANTON. According to the report, 23 members of our committee voted for this bill?

Mr. ASHLEY. That is true.

Mr. J. WILLIAM STANTON. There were two who voted against, and one who was present.

Am I correct on that?

Mr. ASHLEY. The gentleman is correct.

Mr. J. WILLIAM STANTON. We got into a mixture of hides and leather, and all that business. Would the gentleman from Ohio agree that I led the fight against hides in the committee when the gentleman from Texas (Mr. GONZALEZ) brought it up? We fought hard, and we fought long, and we lost.

Mr. ASHLEY. We lost.

Mr. J. WILLIAM STANTON. I am going to vote strongly for this legislation today, Mr. Speaker. As the chairman mentioned, the other body passed the legislation, and we need the legislation; am I right or wrong?

Mr. ASHLEY. The gentleman is accurate.

(Mr. MAYNE, at the request of Mr. WIDNALL, was granted permission to extend his remarks at this point in the RECORD).

Mr. MAYNE. Mr. Speaker, I rise in strong support of the conference report. It is urgently necessary that it be adopted today before the beginning of the congressional recess. I am, of course, deeply concerned about the unsettling effect which uncertainty about this legislation's being enacted is having on the hide and cattle market. I therefore urge all Members to vote in favor of the report, which will make it clear once and for all that neither the Secretary of Commerce nor any other governmental official has the power to limit our free market in hides both at home and abroad, which is so essential to our livestock industry.

Surely the gentleman from Massachusetts (Mr. BURKE) cannot be serious when he states this salutary legislation is being hurried to a vote without sufficient consideration. This House debated all the issues before us today at great length when the bill first passed the House on July 15. It was again discussed at some length in debate on the rule on Wednesday of this week.

I am certain that we all realize that this Nation would have an even greater deficit in our balance of trade but for our export of American agricultural produce. Artificially limiting the export of our agricultural produce through embargoes, such as the embargo on export of hides, contradicts the established policy of this country to foster growth in our export markets and to promote freer trade between the nations. Limiting the export of hides gives one domestic industry advantages at the expense and detriment of another. We should be encouraging, not limiting, hide exports in order to improve our balance-of-payments picture and strengthen the dollar at home and abroad.

When the bottom dropped out of the hide market several years ago, our cattle producers had to develop new hide markets abroad at their own considerable effort and expense. Having now developed a flourishing export market abroad, they should not be deprived of the right to sell in a free market, even to foreign purchasers who outbid American domestic customers. The order to limit hide exports has already had a depressant effect on the market prices of cattle. Maintenance of healthy foreign export markets for American agricultural produce, including cattle hides, clearly has long-term benefits not only for the farmer and cattle feeder, but also for the consumer. Enactment into law of the Export Administration Act extension provisions as reported by the conference is essential if we are to see to it that no official can place a lid on exports of hides and other agricultural commodities. I strongly urge the House to vote for adoption of the conference report.

Mr. WIDNALL. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Speaker, I thank the gentleman for yielding.

I appreciate the attitude of most of the Members, because I share your impatience with our being here again this week on a matter that was decisively voted on by the House on two previous occasions. I think it is proper that we do review for judgment what has led to this particular moment on the last day, practically the last hour in this session, when we are all anxious to get on about our business, either at the convention in Miami, or perhaps on our private vacations and other matters that would take us away from Washington.

The only occasion on which this House could have dealt with this legislation realistically and fairly was settled weeks ago when it first came up. On that occasion the House acted decisively and said: "We do not want that Trade Advisory Council." They said it so decisively that no one even bothered to ask for a vote, and that is the only time when the House could have exercised its judgment freely. But what has happened in the meantime?

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BLACKBURN. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Is it not true that the conferees on the part of the House, despite the way the House spoke and in spite of the message we gave them, went over there and caved in in the fastest fashion in the history of this Congress?

Mr. BLACKBURN. I think it is fair to pronounce as a matter of fact that out of the 10 House conferees, only one conferee defended the position of the House on the floor of this House, and I happen to be that one. When we got to the conference, I said, "You fellows have the votes, and you can put through whatever agreement you want to, but when we get back to the House, if there is any way I can beat you, I will beat you again."

They have all the cards. They have an illegal Executive order over the heads of Members who have cattle producers in their districts. They say they will not enforce the rules unless we vote for their trade council. That is why we cannot have a fair vote. It is much easier to bring it up under these circumstances. They say, "You buy this bill or you who have cattle in your district will be hurting." That is why we are seeing people today voting exactly the opposite on the rule than they did on the floor the other day.

I do not submit to such treatment very kindly. Perhaps some others do.

Last night one of the issues on the bill we were voting on was the fact that if we would not agree on what the Senate wanted, the Senate said they would disagree and then the students would not be able to get their loans. I am proud the House said it wanted to put in its provisions and see what the Senate would do. The Senate caved in this morning in less than 2 minutes.

We are setting another precedent for the Senate today We are saying: Do not worry. We will stall around and submit eventually. I say what is at issue is not the International Trade Council and it is not the extension of the Act. It is the integrity of the House which is at issue today. That is why I have no reluctance to stand here and tell the Members I intend to vote against this conference report. It is the only way to send the message to the Senate or to the White House that the House does have a will and when it exercises its will it intends to stand behind it.

Mr. Speaker, I urge rejection of the conference report.

Mr. PATMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I think we are neglecting the most important item before us. This is the strategic raw material which is limited in supply. No matter what the demand is, the supply cannot meet that demand and there is a question of balancing what we call payments against what is known to be the need.

The American hide industry, while being so important that it has to be regulated by the export-import control, still is given little importance in its position as a strategic limited material. No nation on the face of the earth allows any raw material to be exported until the demands of that nation are met. If this committee sincerely and if the hide people sincerely have the interest of this Nation and its people at heart, it is such an easy formula to follow. Hides are bought on futures. So if we establish a cutoff date for the purchase orders of futures by American consumers of hides, we could do it on the basis of our needs and requirements. We could do it at world prices, if you please, although most of us know who have made any study at all of the economics of trade, that sooner or later we are going to have to get into national parity prices on trade with the nations that deal with us and which we deal with. But here we are saying yes, we know we need hides, and we know we can get higher prices from foreigners, so we are selling 8 million hides at $160 million on a balance of trade. We are importing 360 million pairs of shoes.

Twenty pairs to the hide that is sold, plus the plastics.

We have forced ourselves in this country into making the shoddiest products that any nation makes. A backward nation does not make any more shoddy a product than we foist off.

Shoes, clothes, television sets, radios, automobiles—forced by the low-cost competition to reduce our quality and

produce a shoddy product, so that I am ashamed to say it makes me sometimes wonder what has happened to that pride so many people used to have when they said, "Made in America."

Shoes. Yes, I got shoes. You got shoes. All God's children got shoes. Thanks to Italy, thanks to France, thanks to Sweden, thanks to Brazil thanks, to Portugal, thanks to Spain, thanks to Great Britain we all got shoes.

Maybe they are trying to put us back on our feet—our bare feet.

Let me tell all the Members something. It took 110 years to build the shoe industry in America to an adequacy for the needs of this country. It took 110 years, and we have dissipated that in the last 20 years. And only because of hides.

On this floor less than 12 years ago I reported from my hearings on the impact of imports on employment. I told this House what would happen, and it is in the RECORD.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. PATMAN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. DENT. I said that the day would come, within the next decade—and I am a few years out of line—that we would find the policy of our State Department, implemented by our Agriculture and Commerce Departments, sending salesmen all over the world, selling hides, loaning them the money to buy hides. With our money, that did not cost them anything, they started in the marketplace and outbid the American hide tanneries. We lost 87 or 88 percent of all the tanneries of the United States, and we gave them the hides. They started their tanneries and started their shoe factories.

I visited one of the highest price shoe factories in the world, in Italy, that ships ladies' shoes to the United States. Those shoes sell anywhere from $40 to $65 a pair. And the workers were earning 70 cents an hour.

Go ahead. This is what you have done. And I am guilty of it, and I plead before you to forgive me.

I transferred the interest of certain Members of this Congress on this legislation from what they conceded to be a very bad feature—I agree with them—the feature of the unaccountability of the Commission. That was shifted to hides, and they shifted their whole position on the bill, and have now crucified both my shoeworkers and themselves.

Mr. WIDNALL. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. I thank the gentleman from New Jersey for yielding me this time to speak in opposition to this conference report.

Mr. Speaker, the gentleman from Iowa (Mr. CULVER) asked about the accountability of the Executive Director of this new international economic agency. I believe if he will read the CONGRESSIONAL RECORD for August 15 during the Senate consideration of this conference report, which is reported on page 28242, there is light shed on the question. Mr. BENNETT, in presenting the conference report, said:

> It was agreed that the "fully and currently informed" provision does not require the executive director of the council to testify formally before Congressional committees. But I have been assured, he continues that the executive director will make himself available for informal meetings and briefings with Members and committees of Congress.

Well, is that not nice? Some of you will be able to have breakfast with the Executive Director and find out what is going on. There is no accountability provided for in the conference report, and Senator BENNETT recognized that and said so. This bill started out as a simple extension of the Export Administration Act, normally referred to as the Export Control Act, which expired on August 1, 1972. That bill was introduced last year. There appears to be no objection to extending the Export Administration Act to June 30, 1974, and I certainly would not have any objection to that. That bill would have passed easily and without fanfare.

But the other body had to add a title providing for a Council on Economic Policy, which would provide a new statutory Federal agency with an authorization of $1.4 million for the current fiscal year and the Banking and Currency Committee fell in line. I have consistently objected to this as a duplication which is not needed and would be a waste of $1.4 million of the taxpayers' money.

You will recall, as the gentleman from Georgia, Mr. BLACKBURN, mentioned, this House rejected the Council on International Economic Policy previously and on Tuesday again rejected by an overwhelming vote a resolution which would have waived the 3-day rule for all conference reports.

Those of us who have been keeping an eye on this bill were not fooled by that resolution on Tuesday. We knew S. 3726 would be back when it was defeated on Tuesday, and the advocates of that resolution, sure enough, went immediately to the Committee on Rules and came back with this special resolution today would apply only to one conference report.

This bill is like Hydra; every time you chop off a head two more pop up.

I think we should separate the Council on International Economic Policy from the Export Control Act and pass that act, which I am sure we can do very quickly, and vote up or down this Council on International Economic Policy.

The Senate added language which would also terminate the statutory life of this council on June 30, so its life is limited even before it is created. If the legislation is approved today—and it's almost certain it will be—the council must obtain an appropration for funding, and by the time that is accomplished it will have maybe 4 or 5 months to spend $1.4 million. Ther the members of the Council on International Economic Policy will be back before the Congress saying, "We have not had enough time to get our information and our reports together as to recommendations for a better understanding of foreign economic policy, so we are asking the Congress to continue the council for an additional so many years and we need an additional so many millions of dollars in order to do it." The Council on Economic Policy is not needed to accomplish anything additional—there is a council in existence at the present time by Executive order—except that it will provide 30 people with jobs, and I suppose there is something to be said for that.

Members of the House, I urge rejection of the conference report.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. BURKE).

Mr. BURKE of Massachusetts. Mr. Speaker, I am very reluctant to take the time of the House today, but this is the way we are always presented with problems of this type.

I want to point out in the New England area 115 shoe factories closed since 1965, and we have tanneries closing up there. We have shoe factories today that cannot get the hides from the tanneries because the best grades of hides are being sent overseas for the highest prices they can get there. We have to start concerning ourselves in America with American industries and American jobs.

We are only pleading here to keep the American people working, and by passing legislation like this you are kiting up the welfare rolls of our Nation, you are depriving people who want the opportunity to work from getting a job, you are forcing them on welfare, and you are getting them accustomed to the welfare system.

We are facing a $7 billion deficit in our trade balance this year. There has been one devaluation of the dollar already, and we are going to face some more. And within 1 year some of the people who will vote for this bill today will be doing the greatest flip-flop in history trying to repeal it.

Now, everybody talks about the Burke-Hartke bill, and the only reason this bill was not before the Committee on Ways and Means—and, believe me, this is a trade bill from one end to the other—but, if this bill was ever considered in the House Committee on Ways and Means, I would have offered an amendment attaching the Burke-Hartke bill to it. I have said before that I filed the Burke-Hartke bill to bring to the attention of the American people the problems that we are faced with in our international trade.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman from Texas yield me some additional time?

Mr. PATMAN. Mr. Speaker, I would ask the minority side to use their time, we have only 4 minutes total remaining.

The SPEAKER. Does the gentleman from New Jersey desire to yield time to the gentleman from Massachusetts?

Mr. WIDNALL. Mr. Speaker, I yield back the balance of my time.

Mr. PATMAN. Mr. Speaker, I yield 1 additional minute to the gentleman from Massachusetts (Mr. BURKE).

Mr. DRINAN. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. Yes, I will yield to the gentleman from Massachusetts, but before I do so I wish to say that these are the types of tactics that

we are facing here. This is why America is losing the fight. They come in here and steamroll a bill through, ram it down your throat, and then America suffers a $7 billion deficit in trade this year and they will give us only a minute for debate.

I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Speaker, I am happy to associate myself with the remarks of the distinguished gentleman from Massachusetts.

Mr. BURKE of Massachusetts. I concur in everything that the gentleman has said about the impact of this bill, and also about the tactics that are being utilized to push it through today.

Mr. PATMAN. Mr. Speaker, the gentleman from Massachusetts has no complaint, since we have yielded time to him three different times with the remaining time that we had.

Now, since the gentleman from New Jersey, (Mr. WIDNALL) has used his time, and we have used our time for all practical purposes, I will ask for a vote on the conference report.

Mr. BROOKS. Mr. Speaker, this conference report contains a provision of utmost importance to cattle raisers, shippers, longshoremen, and other workers throughout the Nation.

The provision revoking authority of the President to restrict hide exports under the Export Administration Act is not in controversy so far as the conference report is concerned. Both Houses of Congress have gone on record opposing the action restricting the export of cattle hides and revoking the authority that was used.

As I indicated in my statement on the floor on August 2 when this matter was before us, the sudden action by the Secretary of Commerce has resulted in a severe and unanticipated hardship, not only for the ranchers and farmers, but also to the shipping industry and related activities. In my own district, it will mean the loss of hundreds of thousands of dollars and a number of jobs in the maritime industry in a county that already has 6.8 percent unemployment.

Congress did not intend for this act or any other to be used to transfer unemployment from one section of the country to another. At this point, time is of the essence. Hides are waiting on the docks in Galveston. Transportation has been arranged. Purchasers are awaiting delivery.

The House should again join the Senate in telling the President that we do not approve of these export restrictions and that we are expressly revoking the authority to impose them, including the authority to issue the regulations under some other less specific statutory provision as he has attempted to do since the expiration of the Export Administration Act.

Even if this conference report is not adopted, there should be no question that Congress does not want the Executive to have the authority to continue this program. That provision is not in disagreement in conference. Incidentally, I understand that the administration is having great difficulty in initiating the proposed quota system and that even they would prefer to drop the program. To remove all doubt, the House should adopt this report today and send it to the President for signature.

Mr. VANIK. Mr. Speaker, I am voting against the conference report to accompany S. 3726 because I object to title II which would create a Council on International Economic Policy to create a costly bureaucracy under leadership which I seriously question.

Mr. PRICE of Texas. Mr. Speaker, it is most important that the House of Representatives take action upon the conference report relating to the extension of the Export Administration Act before we recess for 2 weeks for the Republican National Convention.

As we all know, the Department of Commerce has recently imposed controls on the export of cattlehides from the United States, and the extension of the Export Administration Act as passed by both Houses of Congress would legislatively remove these controls by the Department.

It is important that we take action on this legislation before the recess not only because I firmly believe this legislation to be fully justified, but in addition, any stalling or indecision on the part of the Congress until September would only create a chaotic situation in the entire cattlehide industry, both domestic and export.

The export control program as ordered by the Commerce Department is scheduled to go into effect September 1, 1972. After that time exporters will be required to purchase export tickets from a cattlehide producer and then to present the tickets to the Office of Export Control in order to obtain an export license.

Since the Commerce Department is planning to issue these export tickets starting August 17, 1972, the urgency of our taking final action on this legislation becomes completely apparent. Failure to do so will mean that cattlehide businessmen will be faced with the prospect of having to obtain export tickets which might or might not prove to be worthless, and these people would be forced to make business decisions in a state of complete uncertainty.

I also urge that action be taken before the recess on the Export Administration Act which has already lapsed, otherwise the export control program will be dependent upon the authority vested in the Trading with the Enemy Act. Since the Trading With the Enemy Act is very broad in its power and has a minimum of statutory safeguards or restrictions, I do not believe that its use should be continued for the purpose of general export control beyond the time or the occasions where it is really necessary. Furthermore, unlike the Export Administration Act, the Trading with the Enemy Act provides only for criminal penalties and does not provide for the imposition of monetary civil penalties.

Mr. Speaker, for the very important reasons I have cited, I strongly urge that we take final action upon the conference report on the Export Administration Act today, and that we pass this most needed piece of legislation to give justice to our cattlehide producers and exporters. In this time of a serious balance of payments deficit for the United States, it simply makes no sense to cut off the export of a valuable commodity which is helping the national income of this Nation.

Mr. FLOOD. Mr. Speaker, as all the Members know very well, my congressional district suffered unbelievable damage when Tropical Storm Agnes struck on June 23, with such force and devastation that the experts tell me that the total damages will reach $1 billion, including homes, businesses, public utilities, roads, bridges, farms and railroads. Just imagine; $1 billion damage in one congressional district. Hard to imagine but true.

And, as the saying goes, we need all the help we can get—and we need it now.

One vital segment of our economy is the shoe manufacturing industry. In fact, the State of Pennsylvania ranks either one or two nationally in the manufacturing of shoes. And it is very important in my congressional district.

Given the difficulties that I previously mentioned, if there is one thing we do not need it is a national policy that would depress the economic health of the shoe manufacturing industry.

I have specific reference to a policy that would ship the very best quality hides overseas, and leave the lower grade hides here. It is quite obvious that such an arrangement would place our shoe manufacturers in less than a fair and competitive position with those industries manufacturing overseas and shipping their products to this country for sale. Such an arrangement, also, would cost the jobs of many of our citizens who have spent the greater part of their working lives in our domestic shoe manufacturing industry. They must be protected and it is our responsibility as their Representatives in the U.S. Congress to do so.

For years I have been a cosponsor of the Burke-Hartke bill to protect our Nation's shoe manufacturing industry.

I rise today in support of it again. We should not do anything in this House that will cause economic grief to one of our major industries and one of our major employers—the shoe manufacturing industry.

Let us protect the industry and let us protect its workers.

Mr. HANNA. Mr. Speaker, it is unmistakably clear that the intent of the conferees is to free American business from unnecessary, outmoded, bureaucratic restrictions in trade with Eastern Europe. United States and CoCom controls which discriminate against Americans must be done away with immediately if we are to get our rightful share of trade in this vastly expanding market. With the adoption of this conference report, we now call upon American industry to contribute its technical and commercial experience to assist in creating a more balanced and realistic export control posture. Joint industry-Government technical advisory committees should, in accordance with the provisions and clearly stated objectives of this law, be formed as soon as possible in order to avoid fur-

ther losses to American businessmen, and further losses in our balance of trade.

PARLIAMENTARY INQUIRY

Mr. BURKE of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BURKE of Massachusetts. Mr. Speaker, may I inquire how much time the minority side had left before they yielded back their time?

The SPEAKER. The Chair will state that the gentleman from New Jersey (Mr. WIDNALL) had 16 minutes remaining.

Mr. BURKE of Massachusetts. I thank the Speaker.

The SPEAKER. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. BURKE of Massachusetts) there were—ayes 77, noes 36.

Mr. BURKE of Massachusetts. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 124, not voting 125, as follows:

[Roll No. 348]

YEAS—183

Anderson, Ill.	Findley	McClure
Andrews, Ala.	Fish	McCollister
Andrews, N. Dak.	Fisher	McCormack
Archer	Flowers	McCulloch
Ashley	Foley	McFall
Aspinall	Ford, Gerald R.	McKay
Baring	Fountain	McKevitt
Belcher	Fraser	Mahon
Bergland	Frey	Mann
Bevill	Fuqua	Martin
Blatnik	Galifianakis	Mathias, Calif.
Bolling	Gettys	Mathis, Ga.
Bow	Gonzalez	Matsunaga
Brademas	Green, Oreg.	Mayne
Brinkley	Griffin	Meeds
Brooks	Gross	Mikva
Brotzman	Grover	Miller, Ohio
Brown, Mich.	Gubser	Mills, Md.
Brown, Ohio	Gude	Mizell
Broyhill, Va.	Hall	Montgomery
Burleson, Tex.	Halpern	Moorhead
Burlison, Mo.	Hammer-schmidt	Morgan
Burton	Hanley	Mosher
Byrnes, Wis.	Hansen, Idaho	Murphy, N.Y.
Cabell	Hastings	Myers
Camp	Heinz	Natcher
Carlson	Henderson	Nedzi
Casey, Tex.	Hicks, Wash.	Obey
Chappell	Hogan	O'Hara
Clausen, Don H.	Hosmer	O'Konski
Collier	Hutchinson	Patman
Collins, Tex.	Ichord	Perkins
Conable	Jarman	Pettis
Crane	Johnson, Calif.	Pickle
Culver	Jones, Ala.	Poage
Davis, Ga.	Jones, N.C.	Powell
de la Garza	Kastenmeier	Preyer, N.C.
Dellenback	Kazen	Price, Tex.
Denholm	Keating	Pucinski
Dennis	Kyl	Purcell
Dorn	Landgrebe	Quie
du Pont	Latta	Randall
Eckhardt	Leggett	Rees
Erlenborn	Lent	Reuss
Evans, Colo.	Link	Roberts
	McCloskey	Robinson, Va.
		Rogers
	Roncalio	Snyder
	Roush	Spence
	Roy	Stanton, J. William
	Ruth	Steed
	Sandman	Stephens
	Scherle	Stratton
	Schwengel	Stubblefield
	Sebelius	Taylor
	Shipley	Thompson, Ga.
	Shoup	Thompson, N.J.
	Shriver	Thomson, Wis.
	Sikes	Udall
	Sisk	Vander Jagt
	Skubitz	Vigorito
	Smith, Iowa	Waggonner
	Smith, N.Y.	Wampler
		Ware
		White
		Whitehurst
		Whitten
		Widnall
		Wiggins
		Williams
		Winn
		Wolff
		Wright
		Wyatt
		Young, Tex.
		Zwach

NAYS—124

Abbitt	Flynt	Podell
Abzug	Fulton	Poff
Adams	Garmatz	Price, Ill.
Alexander	Gaydos	Rangel
Anderson, Tenn.	Giaimo	Robison, N.Y.
Aspin	Goodling	Rodino
Barrett	Grasso	Roe
Begich	Gray	Rooney, Pa.
Bennett	Green, Pa.	Rosenthal
Biaggi	Haley	Rostenkowski
Biester	Hanna	Rousselot
Bingham	Harrington	Roybal
Blackburn	Hathaway	St Germain
Boland	Hechler, W. Va.	Sarbanes
Broyhill, N.C.	Helstoski	Satterfield
Buchanan	Hicks, Mass.	Saylor
Burke, Mass.	Horton	Scheuer
Byrne, Pa.	Howard	Schmitz
Byron	Hunt	Seiberling
Carey, N.Y.	Jacobs	Slack
Celler	Johnson, Pa.	Smith, Calif.
Chisholm	Jones, Tenn.	Staggers
Clay	Karth	Stanton, James V.
Cleveland	King	Steele
Conover	Koch	Steiger, Wis.
Conyers	Kyros	Stokes
Cotter	Long, Md.	Stuckey
Daniel, Va.	Macdonald, Mass.	Sullivan
Daniels, N.J.	Madden	Symington
Danielson	Mazzoli	Teague, Calif.
Delaney	Miller, Calif.	Teague, Tex.
Dellums	Mills, Ark.	Tiernan
Dent	Minish	Vanik
Donohue	Mink	Whalley
Dow	Mitchell	Wilson, Charles H.
Downing	Monagan	Wylie
Drinan	Murphy, Ill.	Wyman
Duncan	Nix	Yates
Edwards, Calif.	O'Neill	Yatron
Eilberg	Patten	Zablocki
Eshleman	Pike	
Flood	Pirnie	

NOT VOTING—125

Abernethy	Edwards, Ala.	McMillan
Abourezk	Esch	Mailliard
Addabbo	Evins, Tenn.	Mallary
Anderson, Calif.	Fascell	Melcher
Annunzio	Ford, William D.	Metcalfe
Arends	Forsythe	Michel
Ashbrook	Frelinghuysen	Minshall
Badillo	Frenzel	Mollohan
Baker	Gallagher	Moss
Bell	Gibbons	Nelsen
Betts	Goldwater	Nichols
Blanton	Griffiths	Passman
Boggs	Hagan	Pelly
Brasco	Hamilton	Pepper
Bray	Hansen, Wash.	Peyser
Broomfield	Harsha	Pryor, Ark.
Burke, Fla.	Harvey	Quillen
Caffery	Hawkins	Railsback
Carney	Hays	Rarick
Carter	Hébert	Reid
Cederberg	Heckler, Mass.	Rhodes
Chamberlain	Hillis	Riegle
Clancy	Holifield	Rooney, N.Y.
Clark	Hull	Runnels
Clawson, Del	Hungate	Ruppe
Collins, Ill.	Jonas	Ryan
Colmer	Kee	Schneebeli
Conte	Keith	Scott
Corman	Kemp	Springer
Coughlin	Kluczynski	Steiger, Ariz.
Curlin	Kuykendall	Talcott
Davis, S.C.	Landrum	Terry
Davis, Wis.	Lennon	Thone
Derwinski	Lloyd	Ullman
Devine	Long, La.	Van Deerlin
Dickinson	Lujan	Veysey
Diggs	McClory	Waldie
Dingell	McDade	Whalen
Dowdy	McDonald, Mich.	Wilson, Bob
Dulski	McEwen	Wydler
Dwyer	McKinney	Young, Fla.
Edmondson		Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Boggs for, with Mr. Rooney of New York against.
Mr. Hébert for, with Mr. Addabbo against.
Mr. Van Deerlin for, with Mr. Moss against.
Mr. Ullman for, with Mr. Holifield against.
Mr. Nichols for, with Mr. Clark against.
Mr. Passman for, with Mr. Brasco against.
Mr. Davis of South Carolina for, with Mr. Dulski against.
Mr. Gibbons for, with Mr. Diggs against.
Mr. Abernethy for, with Mr. Dingell against.
Mr. Caffery for, with Mr. Evins of Tennessee against.
Mr. Thone for, with Mr. Collins of Illinois against.
Mr. Runnels for, with Mr. Badillo against.
Mr. Steiger of Arizona for, with Mrs. Griffiths against.
Mr. Hull for, with Mr. Hawkins against.
Mr. Fascell for, with Mr. Conte against.
Mr. Curlin for, with Mr. Devine against.
Mr. Colmer for, with Mrs. Dwyer against.
Mr. Hillis for, with Mr. Kluczynski against.
Mr. Rarick for, with Mr. Metcalfe against.
Mr. Ashbrook for, with Mr. Mollohan against.
Mr. Bray for, with Mr. Ryan against.
Mr. Cederberg for, with Mr. Waldie against.
Mr. Lennon for, with Mrs. Heckler of Massachusetts against.
Mr. Rhodes for, with Mr. Burke of Florida against.
Mr. Davis of Wisconsin for, with Mr. Clancy against.
Mr. Blanton for, with Mr. McKinney against.
Mr. Edwards of Alabama for, with Mr. Forsythe against.
Mr. Harsha for, with Mr. Annunzio against.
Mr. McEwen for, with Mr. Carney against.
Mr. Michel for, with Mr. Kee against.
Mr. Pelly for, with Mr. Frelinghuysen against.
Mr. Railsback for, with Mr. McDade against.
Mr. Scott for, with Mr. Coughlin against.
Mr. Springer for, with Mr. Frenzel against.
Mr. Talcott for, with Mr. Wydler against.
Mr. Veysey for, with Mr. Young of Florida against.
Mr. Whalen for, with Mr. Carter against.
Mr. Zion for, with Mr. Harvey against.
Mr. Del Clawson for, with Mr. Schneebeli against.

Until further notice:

Mr. Melcher with Mr. Arends.
Mr. Corman with Mr. Baker.
Mr. Abourezk with Mr. Keith.
Mrs. Hansen of Washington with Mr. Goldwater.
Mr. Hays with Mr. Bell.
Mr. Hungate with Mr. Jonas.
Mr. Landrum with Mr. Derwinski.
Mr. McMillan with Mr. Betts.
Mr. Pepper with Mr. Kemp.
Mr. Pryor of Arkansas with Mr. Kuykendall.
Mr. Reid with Mr. Lloyd.
Mr. William D. Ford with Mr. Broomfield.
Mr. Hagan with Mr. Dickinson.
Mr. Long of Louisiana with Mr. Lujan.
Mr. Anderson of California with Mr. Chamberlain.
Mr. Edmondson with Mr. McClory.
Mr. Gallagher with Mr. Esch.
Mr. Bob Wilson with Mr. McDonald of Michigan.
Mr. Peyser with Mr. Mailliard.
Mr. Quillen with Mr. Ruppe.
Mr. Nelsen with Mr. Riegle.
Mr. Minshall with Mr. Mallary.
Mr. Terry with Mr. Hamilton.

Mr. KOCH and Mr. BUCHANAN changed their votes from "yea" to "nay."

Mr. DENHOLM changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3413. An act for the relief of Dr. David G. Simons, lieutenant colonel, U.S. Air Force (retired);

H.R. 8549. An act to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes; and

H.R. 10310. An act to establish the Seal Beach National Wildlife Refuge.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11185. An act to amend the Internal Revenue Code of 1954 with regard to the exempt status of veterans' organizations.

The message also announced that the Senate agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S.J. Res. 260. Joint resolution to delay the effectiveness of certain amendments to the interest subsidy provisions of the guaranteed student loan program in the case of certain students.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. 32. An act to amend the National Science Foundation Act of 1950 in order to establish a framework of national science policy and to focus the Nation's scientific talent and resources on its priority problems, and for other purposes; and

S. Con. Res. 94. Concurrent resolution providing for an adjournment of the two Houses from August 18, 1972, to September 5, 1972.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

Washington, D.C., August 18, 1972.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: The Clerk of the House of Representatives received on August 17, 1972 from the U.S. Marshal by certified mail (812887) an unattested copy of the Summons in a Civil Action together with a copy of the complaint filed by Lewis Gene Freeman v. The United States Government, the United States Congress, the United States House of Representatives and others in Civil Action File No. 72 C 380 in the United States District Court for the Southern District of Indiana, Indianapolis Division.

The summons requires the Congress of the United States to answer the complaint within sixty days after service.

The summons and complaint in question are herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

WASHINGTON, D.C., *August 18, 1972.*

Hon. RICHARD G. KLEINDIENST,
Attorney General of the United States, Washington, D.C.

DEAR MR. KLEINDIENST: I am sending you a certified copy of a summons and complaint in a civil action (72 C 380) filed against the United States Congress and the United States House of Representatives and others in the United States District Court for the Southern District of Indiana, Indianapolis Division, and served upon me by certified mail (812-887) on August 17, 1972.

In accordance with 2 U.S.C. 118 I have sent a certified copy of the summons and complaint in this action to the U.S. District Attorney for the Southern District of Indiana, Indianapolis Division, requesting that he take appropriate action under the supervision and direction of the Attorney General. I am also sending you a copy of the letter I forwarded this date to the U.S. Attorney.

With kind regards, I am,

Sincerely yours,

W. PAT JENNINGS,
Clerk, House of Representatives.

WASHINGTON, D.C., *August 18, 1972.*

Hon. STANLEY B. MILLER,
U.S. Attorney for the Southern District of Indiana, Indianapolis, Ind.

DEAR MR. MILLER: I am sending you a certified copy of a summons and complaint in a civil action (72 C 380) filed against the United States Congress and the United States House of Representatives and others in the United States District Court for the Southern District of Indiana, Indianapolis Division, and served upon me by certified mail (812-887) on August 17, 1972.

In accordance with Title 2, U.S. Code, sec. 118, I respectfully request that you take appropriate action, as deemed necessary, under the "supervision and direction of the Attorney General" of the United States in defense of this suit against the U.S. House of Representatives.

I am also sending you a copy of the letter that I forwarded this date to the Attorney General of the United States.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

ADJOURNMENT OF THE HOUSES FROM AUGUST 18 TO SEPTEMBER 5, 1972

The SPEAKER laid before the House the Senate concurrent resolution (S. Con. Res. 94) providing for an adjournment of the two Houses from August 18, 1972, to September 5, 1972:

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Friday, August 18, 1972, it stand adjourned until 10 o'clock ante meridian on Tuesday, September 5, 1972.

AMENDMENT OFFERED BY MR. O'NEILL

Mr. O'NEILL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'NEILL: Strike out in page 1, line four, "1972.", and insert the following: "1972, and that when the House adjourns on Friday, August 18, 1972, it stand adjourned until 12 noon on Tuesday, September 5, 1972."

The amendment was agreed to.

The Senate concurrent resolution, as amended, was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM SENATE AND SPEAKER TO SIGN BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until September 5, 1972, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING PRINTING OF REPORTS BY COMMITTEES AUTHORIZED TO CONDUCT INVESTIGATIONS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk following the adjournment of the House until September 5, 1972, by committees authorized by the House to conduct investigations, may be printed by the Clerk as reported of the 92d Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS AND TO APPOINT COMMISSIONS, BOARDS, AND COMMITTEES

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until September 5, 1972, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER ON CALENDAR WEDNESDAY, SEPTEMBER 6, 1972

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday, September 6, 1972, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRIVILEGE OF MEMBERS TO REVISE AND EXTEND OWN REMARKS NOTWITHSTANDING ADJOURNMENT UNTIL SEPTEMBER 5, 1972

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until September 5, 1972, all Members of the House shall have the privilege to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and also to include therein such short quotations as may be necessary to explain or complete such extensions of remarks, but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of the House.

I also advise the membership that such extensions may be deposited in the CONGRESSIONAL RECORD boxes to be picked up in the customary manner.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

YOUTH APPRECIATION WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1080) providing for the observance of "Youth Appreciation Week" during the 7-day period beginning November 13, 1972.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California (Mr. EDWARDS)?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1080

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the seven-day period beginning November 13, 1972, is hereby designated as "Youth Appreciation Week", and the President is requested to issue a proclamation calling up the people of the United States to observe such week with appropriate ceremonies and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL COACHES DAY

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 213) to authorize and request the President to issue a proclamation designating October 6, 1972, as "National Coaches Day."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if that would include the coach of the baseball team of Washington, D.C., the major league team?

Mr. EDWARDS of California. Does the gentleman refer to the coach of the Republican team that won the baseball game against the Democratic team?

Mr. GROSS. I suppose that would have to be the coach, since there is no other major league team in Washington, D.C. Does this include all the coaches of what—baseball teams, football teams, basketball teams, ping pong teams?

Mr. EDWARDS of California. This resolution was sponsored by our colleague from Texas (Mr. PICKLE) who happens to be here, and I am sure he can answer better than I.

I defer to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PICKLE. The resolution is sponsored by the National Coaches Association. This includes collegiate and high school coaches in America. It is not professional coaches. It pertains to the National Coaches Association, primarily college and high school coaches.

Mr. GROSS. I stand corrected, Mr. Speaker. I just assumed that it included all coaches. It does not include coaches of chess teams, checker teams, and that sort of thing. I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 213

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating October 6, 1972 as "National Coaches Day," and calling upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.

Mr. PICKLE. Mr. Speaker, I am grateful for the opportunity and proud to join my colleagues in supporting passage of Senate Joint Resolution 213 to designate the period October 6 to honor the coaches of this Nation.

It is fair to say that these teacher-friends play a major role in the development not only of high standards for athletic competition but in the very development of the men and women.

It is easy for someone to put something down on paper that looks to be the perfect strategy in a sports event. It is entirely another thing to be able to take that paper and go to the ball field or the court and inspire the myriad qualities that a team function in harmony with brilliance and effectiveness.

This nation can be thankful for its sports institutions and it should be grateful for the men and women who mold the contestants for these games.

Any parent can tell you it is no easy task to instill high character, courage or dedication in their young. It takes a special person of outstanding physical ability and strong emotional status to project high ideals in those who participate in sports.

I was privileged recently to attend the annual Texas high school coaches luncheon in Houston where I was the recipient of the association's outstanding achievement award this year. I am grateful, of course, for this honor, but I am equally grateful for the opportunity to have been so closely associated with the high caliber of individuals that fill the ranks of those in coaching careers.

I think a day to honor those who serve youth particularly, is a day on which we can all reflect on the blessing that wholesome competition brings to our society.

As a nation, we are known for "our fair play." Certainly this attitude is a chapter that was first written in our sports annals. Without those leaders and mentors in the arena of sports competition this spirit would have perished with the horse and buggy.

Through the mirrors of sports we see ourselves reflected in a setting that shows we are a growing, prosperous and outgoing nation.

All over America every person interested in sports can express thanks to our coaches—at the university, college, high school and grammar school level. In Texas I especially express appreciation to the president of the Texas High School Coaches Association, Mr. Lloyd Parker, of Bay City, and to his board. And I would be remiss if I did not specially state my admiration to Mr. L. W. McConachie, executive vice president, and to Coach Darrell Royal who represent the finest qualities of coaches and men which our State possesses.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NATIONAL FAMILY WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 135) to authorize the President to issue a proclamation designating the week in November which includes Thanksgiving Day in each year as "National Family Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 135

Whereas the family is the basic strength of any free and orderly society; and

Whereas it is appropriate to honor the family as a unit essential to the continued well-being of the United States; and

Whereas it is fitting that official recognition be given to the importance of family loyalties and ties: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue

a proclamation designating the week beginning on the Sunday preceding the fourth Thursday in November of each year as "National Family Week" and inviting the Governors of the several States, the chief officials of local governments, and the people of the United States to observe such day with appropriate ceremonies and activities.

AMENDMENTS OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer two amendments, and ask unanimous consent that they be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. EDWARDS of California: On page 1, strike out the entire preamble.

On page 2, line 4, strike out the phrase "each year" and insert in lieu thereof "1972".

The SPEAKER. The question is on the amendments offered by the gentleman from California (Mr. EDWARDS).

The amendments were agreed to.

Mr. MYERS. Mr. Speaker, I appreciate the patience of the House this afternoon. It is late and after the session yesterday that lasted 14 hours, I am happy that the House will consider this bill today.

The basic strength of our or any free and orderly society is the family. There could be no more appropriate week than that including Thanksgiving Day for us to honor our family loyalties and ties.

This legislation will authorize the President to designate the week beginning with the fourth Thursday in November of each year as "National Family Week." It also encourages the States and local communities to observe the week with appropriate ceremonies and activities.

The idea for a family week observance came from a constituent, Mr. Sam Wiley, who formerly taught in the Shakamak School system and is now assistant principal at Whiteland High School, both in Indiana.

The current unrest and dissatisfaction among the younger generation and the so-called generation gap can be traced in most cases to a complete breakdown in communications between parents and their children. While observance of family week does not promise to resolve all the unrest, I view it as a giant step toward the goal of restoring the traditional principles of respect and self-discipline which have made this a great Nation.

National Family Week is designed to coincide with Thanksgiving Day, that traditional time in America when families are rejoined for the purpose of giving thanks to God for the blessings which have come to them.

National Family Week would serve as the focal point for the enlistment of millions of American parents in an effort to better understand the wants and needs of their children and to encourage the children to better understand the duties and obligations of their parents.

I urge the adoption of this legislation.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize the President to issue a proclamation designating the week in November of 1972 which includes Thanksgiving Day as 'National Family Week'."

A motion to reconsider was laid on the table.

NATIONAL SOKOL U.S.A. DAY

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Joint Resolution (H.J. Res. 1263) authorizing the President to proclaim October 30, 1972, as "National Sokol U.S.A. Day."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1263

Whereas the Sokol gymnasium and Sokol activities provide a training ground for improving individual strength and skill through gymnastics and encouraging development of the ultimate peak of physical fitness; and

Whereas the first Slovak Sokol Society was organized in Chicago, Illinois, eighty years ago on October 30, 1892, and from this modest beginning grew an organization of more than twenty-three thousand members across our Nation; and

Whereas Sokol U.S.A. during this span of eighty years has made an invaluable contribution to the health and vitality of our citizens by encouraging young people to take up the sport of gymnastics and by fostering the development of physical strength and fitness through gymnastics; Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating October 30, 1972, as "National Sokol U.S.A. Day", and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS of California: On page 1, strike out the entire preamble.

Mr. ANNUNZIO. Mr. Speaker, as the sponsor of House Joint Resolution 1263, which would designate October 30, 1972, as "National Sokol U.S.A. Day," I want to commend and thank Hon. DON EDWARDS of California, the distinguished chairman of Subcommittee No. 4 of the House Judiciary Committee, for the expeditious manner in which he has brought this legislation to the floor of the House for action.

I also want to express my appreciation to Hon. EMANUEL CELLER of New York, outstanding chairman of the Judiciary Committee, and all of the members of the committee for the prompt and favorable action they have taken in bringing this measure up on the House floor.

The 80th anniversary of the first Slovak Sokol Society, which was organized in my own city of Chicago, will take place on October 30, 1972, and the enactment of my resolution will enable more than 23,000 members of Sokol lodges across our Nation to proceed with plans for appropriate ceremonies in observance of this special anniversary.

This anniversary is especially significant in view of the fact that the 20th Olympiad will begin in the next few days in Munich, Germany, and many fine athletes, including gymnasts, from the United States will be competing in the Olympics.

The organization known as Sokol U.S.A. has made an outstanding contribution over the past 80 years toward development of individual strength and physical fitness of all Americans through gymnastics, and therefore, the special recognition afforded by my bill, House Joint Resolution 1263, is indeed fitting. I urge my colleagues to join in bipartisan support of House Joint Resolution 1263 which would make this special recognition possible.

The SPEAKER. The question is on the amendment offered by the gentleman from California (Mr. EDWARDS).

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and motion to reconsider was laid on the table.

NATIONAL MICROFILM WEEK

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Joint Resolution (H.J. Res. 1193) to provide for the designation of the week which begins on September 24, 1972, as "National Microfilm Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Speaker, I reserve the right to object. I should like to ask the gentleman where this Microfilm Week is going to be celebrated and how.

Mr. EDWARDS of California. In answer to the question of the gentleman from Iowa, there certainly will not be any celebration that I know anything about. It is merely a recognition of the contribution that the industry has made, and we are eliminating the "Whereas" clauses which reflect how microfilm is making an essential contribution toward society, and so forth.

Mr. GROSS. I should have asked this question a long time ago when this started. Will any of these resolutions cost the poor old taxpayers of the United States any money?

Mr. EDWARDS of California. I assure the gentleman they surely will not.

Mr. GROSS. And they are all emergencies; are they?

Mr. EDWARDS of California. The dates are approaching.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1193

Whereas microfilm has made an essential contribution to our society and every facet of our lives as a means of quickly and efficiently storing, transferring, retrieving, and disseminating information; and

Whereas microfilm has made possible economical and convenient preservation of our history and opened the portals of knowledge for all who desire it; and

Whereas the National Archives and Records Service and the Library of Congress utilize microfilm to preserve the Nation's history and provide basic documentation for research in many fields and the Nation's V-mail program used microfilm to make sure its fighting men received their mail in battle zones; and

Whereas microfilm touches the lives of each of us through our Government, our place of employment, the merchants with whom we deal, our schools and other institutions; and

Whereas microfilm has played a significant role in American society, and its importance continues to expand as demands for information continue to grow: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation (1) designating the week which begins on September 24, 1972, as "National Microfilm Week"; and (2) inviting the Governors and mayors of States and local governments of the United States to issue similar proclamations.

AMENDMENT OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS of California: On pages 1 and 2 strike the entire preamble.

The amendment was agreed to.

Mr. CONABLE. Mr. Speaker, I rise at this time to urge my colleagues to join me in voting for passage of the resolution designating the week of September 24, 1972, as "National Microfilm Week" in honor of an industry and technological system which has revolutionized information gathering and dissemination in a way that has affected everyone's life.

I first introduced this resolution last April along with Congressman HORTON, and reintroduced it in May along with Congressmen BOGGS, SMITH of New York, CORMAN, BETTS, KARTH, FRELINGHUYSEN, THOMPSON of New Jersey, ERLENBORN, DORN, GUBSER, HELSTOSKI, CONTE, ABZUG, STEIGER of Wisconsin, ESCH, KUYKENDALL, WILLIAMS, KEMP, LENT, and MCKINNEY. The bill provides that the designation be made in 1972 only.

I am quite pleased that so many of my colleagues on both sides of the aisle have seen fit to honor this industry and to recognize the significant role of microfilm in American society. Microfilm has made possible economical and convenient preservation of our history as well as the opening of the portals of knowledge for all who desire it. Government is the largest single user of microfilm—historically through such programs as the V-mail program and currently through its use by the Library of Congress, the National Archives and most of the departments of the Federal Government. Private industry, as well as the education community, utilizes microfilm extensively for recordkeeping purposes.

I thank my colleagues for their support of this legislation and I am hopeful that the Senate will soon join the House of Representatives in recognizing this exceptional technological system of information and records.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WOMEN'S RIGHTS DAY

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3490) to authorize and request the President to issue annually a proclamation designating August 26 of each year as "Women's Rights Day."

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill as follows:

S. 3490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the anniversary of the adoption on August 26, 1920, of the nineteenth amendment to the Constitution granting women the right to vote, the President is authorized and requested to issue annually a proclamation designating August 26 of each year as "Women's Rights Day", and calling upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.

AMENDMENTS OFFERED BY MR. EDWARDS OF CALIFORNIA

Mr. EDWARDS of California. Mr. Speaker, I offer two amendments, and ask unanimous consent that they be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. EDWARDS of California: On page 1, line 6, strike the word "annually".

On page 1, line 7, strike the phrase "each year" and insert in lieu thereof "1972".

The amendments were agreed to.

Mrs. ABZUG. Mr. Speaker, I am very pleased that this House has acted to declare August 26 "Women's Rights Day." In the year since I originally introduced a bill, House Joint Resolution 808, similar to the one approved today, the women's rights movement has gained national influence and stature, and this action is one recognition of that development.

August 26 has a dual significance. It is the anniversary of the date 52 years ago when women, a majority of the Nation, won the right to vote after a struggle that took three-fourths of a century. It is also the date that marks the renascence of a national women's movement. Two years ago, on the 50th anniversary of women's suffrage, women declared a nationwide strike to dramatize their demands.

In New York next Friday, thousands of women will gather for the third successive year to march down Fifth Avenue in a women's strike for justice and equality. The many different groups and individuals participating indicate the breath of the womens' movement and the diversity of its issue and demands. All over the country, similar actions will be taking place.

One of our major demands last year, adoption of the equal rights amendment, is on the way to fulfillment. In the past year, we have also increased national awareness and sensitivity to the wrongs done to women under the discrimination in our legal, social, economic, and political institutions. But we are not deluding ourselves that mere passage of an amendment or declaration of a special day will wipe out discrimination. We know this is a continuing struggle. We also know that it is only when women organize politically that the full potential of their power can be felt. We also know that our demand for equal representation within the framework of a peaceful society is based on a humanist ideology opposed to violence and to discrimination not only on the grounds of six, but of race, age, and class.

The National Women's Political Caucus has become a major force since it was organized a year ago as a multipartisan group. Due to its efforts, dramatic reforms have been made within the Democratic Party, and women played a highly visible and significant role at the recent Democratic Convention in Miami Beach. Women comprised 40 percent of the delegates, worked on key committees, and occupied leading positions at the convention and in the party. Republican women in the NWPC are now in Miami Beach making a similar effort to gain effective recognition of women's rights within the Republican Party, but I gather from news reports that they are meeting more resistance than did their Democratic counterparts.

I think it should be clear to all Members of this body that women's issues cut across party lines and affect women of all classes and backgrounds. Women are rightly concerned with elimination of all forms of discrimination, with equal pay and job opportunity, equal job training and promotion, professional recognition and advancement, with universally available child care programs that are so necessary for the millions of working women who have young children, with the accessibility of birth control information, repeal of antiquated abortion laws, elimination of inequalities from the social security system and divorce and credit laws, and with equal representation in the political institutions of our Nation, including this Congress.

We have made considerable progress in the past year, but we have a long way to go. I call upon my colleagues to follow up their positive actions of the past year and today by enacting into law bills which I and other Members have introduced to eliminate many of the inequal-

ities directed at women. Women all across the Nation look forward to the time when they will be recognized as citizens who are fully equal to men in both responsibility and privileges. We also look forward to the time when the composition of the Congress itself reflects the reality of our population. It is shocking that there should be one woman in the Senate and only a dozen in the House. The National Women's Political Caucus is working to change that, and I should advise you that it will be working for its goal not just on August 26, but on every day of every year for as long as it takes to succeed.

At this point, I would like to insert into the RECORD a list of the bills that I have introduced on women's rights.

BILLS RELATING TO WOMEN'S RIGHTS

H.R. 7533—lowers length of marriage required for divorcee to receive Social Security benefits on former husband's account.

H.R. 8402—comprehensive child care.

H.R. 9565—tax deductions for child care expenses.

H.R. 10121—prohibit use of prefixes denoting marital status by federal government ("Ms." bill)

H.R. 10240—authorizes abortions in military facilities notwithstanding local laws.

H.R. 14430—prohibit discrimination on the basis of sex in public accommodations, public education, housing, federally-assisted programs.

H.R. 14715—Abortion Rights Act.

H.R. 15114—prohibit sex discrimination in federally-related mortgage transactions.

H.R. 15115—prohibit discrimination on the basis of sex by grantors of consumer credit.

H.R. 15116—prohibit discrimination on the basis of sex by banks, credit unions, and other financial institutions in the granting of credit or loans.

H.R. 15522—establish "householder's basic benefit" under Social Security system.

H.R. 15526—reduces from 20 to 5 the number of years a divorced woman's marriage must have lasted to qualify her for wife's or widow's benefits.

H.R. 15527—eliminates special dependency requirements for wives and widows under Social Security system.

H.R. 15529—marriage or remarriage of beneficiary not to reduce benefits to which he or she is entitled; double payment prohibited.

H.R. 15533—eliminates the duration-of-marriage and other special requirements for Social Security eligibility.

H.R. 16574—authorizes HEW to make special educational grants for women's and related educational purposes.

The Senate bill, as amended, was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize and request the President to issue annually a proclamation designating August 26, 1972, as 'Women's Rights Day'."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the five measures just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDING INTERNAL REVENUE CODE OF 1954 WITH REGARD TO EXEMPT STATUS OF VETERANS' ORGANIZATIONS

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11185) to amend the Internal Revenue Code of 1954 with regard to the exempt status of veterans' organizations, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

That (a) section 501(c) of the Internal Revenue Code of 1954 (relating to list of exempt organizations) is amended by adding at the end thereof the following new paragraph:

"(19) A post or organization of war veterans, or an auxiliary unit or society of, or a trust or foundation for, any such post or organization—

"(A) organized in the United States or any of its possessions,

"(B) at least 75 percent of the members of which are war veterans and substantially all of the other members of which are individuals who are veterans (but not war veterans), or are cadets, or are spouses, widows, or widowers of war veterans or such individuals, and

"(C) no part of the net earnings of which inures to the benefit of any private shareholder or individual.".

(b) Section 512(a) of such Code (relating to definition of unrelated business taxable income) is amended by adding at the end thereof the following new paragraph:

"(4) SPECIAL RULE APPLICABLE TO ORGANIZATIONS DESCRIBED IN SECTION 501(c)(19).—In the case of an organization described in section 501(c)(19), the term 'unrelated business taxable income' does not include any amount attributable to payments for life, sick, accident, or health insurance with respect to members of such organizations or their dependents which is set aside for the purpose of providing for the payment of insurance benefits or for a purpose specified in section 170(c)(4). If an amount set aside under the preceding sentence is used during the taxable year for a purpose other than a purpose described in the preceding sentence, such amount shall be included, under paragraph (1), in unrelated business taxable income for the taxable year."

(c) The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SEC. 2. (a) Section 165(h) of the Internal Revenue Code of 1954 (relating to disaster losses) is amended by—

(1) striking out the first sentence and inserting in lieu thereof the following: "Notwithstanding the provisions of subsection (a), any loss attributable to a disaster occurring in an area subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Disaster Relief Act of 1970, may, at the election of the taxpayer, be deducted for the taxable year immediately preceding the taxable year in which the disaster occurred."; and

(2) inserting before the period in the second sentence a comma and the following: "based on facts existing at the date the taxpayer claims the loss".

(b) Section 6405 of such Code (relating to reports of refunds and credits to the Joint Committee on Internal Revenue Taxation) is amended by adding at the end thereof the following new subsection:

"(d) REFUNDS ATTRIBUTABLE TO CERTAIN DISASTER LOSSES.—If any refund or credit of income taxes is attributable to the taxpayer's election under section 165(h) to deduct a disaster loss for the taxable year immediately preceding the taxable year in which the disaster occurred, the Secretary or his delegate is authorized in his discretion to make the refund or credit, to the extent attributable to such election, without regard to the provisions of subsection (a) of this section. If such a refund as credit is made without regard to subsection (a), there shall thereafter be submitted to such Joint Committee a report containing the matter specified in subsection (a) as soon as the Secretary or his delegate shall determine the correct amount of the tax for the taxable year for which the refund or credit is made."

(c) The amendment made by subsection (a) shall apply to disasters occurring after December 31, 1971, in taxable years ending after such date. The amendment made by subsection (b) shall apply with respect to refunds or credits made after July 1, 1972.

Amend the title so as to read: "An Act to amend the Internal Revenue Code of 1954 with regard to the exempt status of veterans' organizations, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so not because it is my intention to object but because I want to ask the gentleman from Arkansas for an explanation of the Senate amendments. I yield to the gentleman from Arkansas.

Mr. MILLS of Arkansas. Mr. Speaker, I thank my friend, the gentleman from Wisconsin, for yielding.

Mr. Speaker, H.R. 11185 was brought up by unanimous consent and passed by the House on February 29, 1972. As passed by the House, it established a separate category in section 501(c) of the Code for the already existing Federal income tax exemption for war veterans' organizations. The bill also made it clear that income from insurance activities of such organizations would be exempt from taxation to the extent it is used for payment of insurance benefits or for educational, charitable, or religious purposes.

Mr. Speaker, the Senate accepted the House-passed provisions but made two modifications in them. First, it refined and clarified the tax-exempt category in the House bill to make it applicable to all veterans' organizations whose memberships consist of at least 75 percent of war veterans as long as substantially all the other members are veterans—other than war veterans—cadets, or are spouses, widows or widowers of war veterans or such other individuals. In addition, the Senate bill amends the effective date of the House provision to make it effective as of the generally effective date of the Tax Reform Act of 1969, that is, taxable years beginning after December 31, 1969. This amendment is consonant with the 1969 act under which it was never the specific intent to tax the insurance income of war veterans' organizations. I recommend that the House concur in these amendments, which are related to the original subject matter of the House-passed bill.

Mr. Speaker, the Senate has also added two unrelated amendments to H.R. 11185. These amendments, in my judgment, also deserve the concurrence of the House. It will be recalled that in June, Congress approved an amendment to section 165 (h) of the Internal Revenue Code, the section relating to disaster losses, to pro-

vide that if a Presidentially-declared disaster occurred within the first 6 months of the taxable year, a taxpayer in a designated disaster area could elect to deduct any casualty loss resulting therefrom on his tax return for the preceding taxable year. The first Senate amendment would extend this recently enacted provision and allow the same treatment if the disaster occurred at any time during a taxable year, rather than during the first 6 months of the year, I should state, Mr. Speaker, that this provision of the law applies to the deduction of casualty losses with respect to property—it has no application to the deduction of expenses, bad debts or similar items which may be attributable to the occurrence of the disaster.

Mr. Speaker, this particular amendment is necessary to place fiscal year taxpayers and calendar year taxpayers in the same position with respect to claims arising out of the recent Hurricane Agnes. I strongly recommend that the House concur in this necessary amendment, which should have been included in the public law enacted in June.

The second Senate amendment also relates to the consequences of Hurricane Agnes. It speeds the processing of refund claims resulting from that storm and other recent disasters by authorizing the Internal Revenue Service to make credits or refunds in excess of $100,000 before, rather than after, submitting a report to the Joint Committee on Internal Revenue Taxation. Refund claims under that amount do not have to be submitted to the joint committee either under existing law or under the amendment. Under the amendment, a report will be submitted by the Service to the Joint Committee after a refund in excess of $100,000 is made. This procedure would apply only in the case of disaster losses, and it will have the effect of preventing delay in the granting of badly needed tax relief, but at the same time provides for adequate subsequent review by the joint committee on large disaster loss refund claims.

Mr. Speaker, these amendments are entirely worthy of approval by the House, and I urge concurrence in them.

Mr. BYRNES of Wisconsin. Mr. Speaker, I believe the amendments should be concurred in.

I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion of reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 15580, DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT

Mr. CABELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 15580) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 15, 1972.)

Mr. CABELL (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the statement.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The gentleman from Texas is recognized.

Mr. CABELL. Mr. Speaker, first may I apologize to the Members for having to bring this up at this late hour. However, this will avoid a 30-day delay. This will mean an additional $1 million in tax revenue to the District of Columbia.

I should also like to thank most sincerely the chairman of the Committee on Interstate and Foreign Commerce for yielding this time to me.

There are no really substantive changes from the House-passed bill. The only change of any significance, on which the House conferees receded, was that we did agree to a 2-month retroactivity for the pay bill as opposed to the 4-month retroactivity as called for in the Senate bill.

This will cost approximately $3 million, which is the only additional cost of any significance that is provided for in this bill.

We held our position on all of the major items, including the proposals for funding of the items in the bill before you. We were able to hold our position on all other items of any consequence, and the position of the House, I can assure you, has been maintained.

Mr. CABELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CABELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE TO EXTEND ON SENATE AMENDMENT TO H.R. 11185

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania (Mr. SCHNEEBELI) and any other Members desiring to do so may have 5 legislative days in which to extend their remarks in the RECORD in connection with the concurrence of the House in the Senate amendments to H.R. 11185.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 14847, AIR PASSENGER FEES, STATE AND LOCAL CHARGES

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1095 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1095

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14847) to amend the Airport and Airway Development Act of 1970 to increase from 50 to 75 per centum the United States share of allowable project costs payable under such Act; to amend the Federal Aviation Act of 1958 to prohibit State taxation of the carriage of persons in air transportation; and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against said substitute for failure to comply with the provisions of clause 7, rule XVI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 14847, it shall be in order in the House to take from the Speaker's table the bill S. 3755 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 14847 as passed by the House.

The SPEAKER. The gentleman from Hawaii is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1095 provides an open rule with 1 hour of general debate for consideration of H.R. 14847 to amend the Airport and Airway Development Act and the Federal Aviation Act. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment and, after passage of the House bill, it shall be in order to take from the Speaker's table

S. 3755 and move to strike all after the enacting clause and amend it with the House-passed language. The committee amendment in the nature of a substitute is not altogether germane to the original bill; therefore, points of order are waived for failure to comply with clause 7 of rule XVI.

H.R. 14847 provides an 18-month moratorium barring States or local governments from levying or collecting any charges on persons traveling by air. At the present time, approximately 20 communities are levying such charges. The effective date of the legislation is the day of its enactment.

During the moratorium, the Civil Aeronautics Board is authorized and directed to make an investigation into the matter and report, with its findings and recommendations, within 1 year. For the purpose of conducting its investigation, the CAB would be authorized to conduct hearings, issue subpenas and receive evidence in the same manner as in regular board proceedings under the Federal Aviation Act.

The sum of $100,000 is authorized to be appropriated to enable the CAB to make the investigation.

The legislation also extends from May 21, 1972, to May 21, 1973, the time within which the Secretary of Transportation is to publish a national airport system plan for the development of public airports.

Mr. Speaker, H.R. 14847 was reported out unanimously by the Subcommittee on Interstate and Foreign Commerce and by voice vote out of the full committee. I urge the adoption of the rule in order that the legislation may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I wonder if the distinguished gentleman from Hawaii, a member of the Committee on Rules, could elaborate just a little more on the point that it is necessary to waive points of order? I understand that the substitute may not be germane to the original bill considered, but it was not quite enough to satisfy the gentleman from Missouri because this seems to be a rather innocuous bill, albeit opposed by the administration and by all departmental reports in the report. Furthermore, it is opposed rather vehemently by various airport managers that have written in from around the country.

Be that as it may, I direct my question, Mr. Speaker, to any information the gentleman from the Committee on Rules might have as to why we again have a rule waiving points of order and again taking away the rights of the individual Members to make a point of order against certain portions of the bill.

Mr. MATSUNAGA. If the gentleman from Missouri will turn to page 5 of the bill itself, H.R. 14847, and look at section 5, line 5, that section is new, and not covered in the original bill, which would require a waiver of the rule in order that it may be considered at this hour by the committee.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, my understanding is that that provision extends something already mandated in the Airway Development Act of 1970 by striking "two years" and inserting in lieu thereof "three years."

I am well aware of the fact that the Airways and Airport Development Act of 1970 is not a part of the original intent of this bill, but actually the substitute printed in the bill that this rule makes—in order, mandates the Civil Aeronautics Board agency, in being, a creature of the Congress, to do all of this work and these studies. Why do they need 3 years to do this instead of 2 years?

Mr. MATSUNAGA. This is just to give them an additional year, which it was reported would be necessary in making the appropriate plans.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's explanation. Of course, I had already read the bill and referred to the item where the waiver of points of order was made. It seems quite inadequate, and is another case where we have waived points of order, thus robbing the Members of their individual rights, and, as usual, I oppose such a rule.

I thank the gentleman for yielding.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. ANDERSON of Illinois. Mr. Speaker, I think the gentleman from Hawaii, my colleague on the Committee on Rules, has adequately explained the purpose of this legislation and also the rule that makes it in order.

Mr. Speaker, I would associate myself with his remarks and urge the House adopt this rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I am pleased to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, when was this rule approved? Does the gentleman remember?

Mr. ANDERSON of Illinois. On Tuesday, I believe.

Mr. GROSS. Of this week?

Mr. ANDERSON of Illinois. I believe it was Tuesday of this week.

Mr. GROSS. What is the emergency character or nature of this bill which requires it to be considered at this late hour?

Mr. ANDERSON of Illinois. I am not sure that I can answer the gentleman's question in its entirety. I do believe, however, there is a tendency on the part of local airport authorities around the country to begin to levy these head taxes, user taxes.

I happened to be in the State of Michigan on Monday of this week, and it just so happened it was in Kalamazoo, and I learned that that very week one of these head taxes was going into effect at that particular airport.

Mr. Speaker, I would be pleased to yield to some member of the Committee on Interstate and Foreign Commerce for a more complete explanation, but I am inclined to believe this may be one of the reasons for the urgency that is attached to this legislation.

Mr. GROSS. I wonder why, this being a Friday—and we never before have worked on Friday, or so seldom. I cannot remember when we have previously worked on Friday. We come down to this stage, just before an adjournment, and I wonder if we ought not suspend operations and join in singing that old hymn:

Work for the night is coming. Work in the morning hours.

And really celebrate this occasion.

Mr. ANDERSON of Illinois. I am very sympathetic, of course, with the gentleman's feelings. However, I was on the floor earlier today and heard his colloquy with the gentleman from Florida when the gentleman from Florida brought up the so-called SALT bill. The gentleman from Iowa has certainly retained his ability to follow the proceedings here very well. I would hope that he would bear with us until this action is taken.

Mr. WARE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. WARE. May I just add that the situation you have described in Kalamazoo, Mich., is identical to that which occurred recently in Philadelphia and elsewhere throughout the country. I think that prompts a sense of urgency.

Mr. ANDERSON of Illinois. I thank the gentleman for that added explanation.

Mr. Speaker, I have no further requests for time.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll:

The question was taken; and there were—yeas 215, nays 23, not voting 194, as follows:

[Roll No. 349]

YEAS—215

Abzug	Burke, Mass.	Drinan
Adams	Burleson, Tex.	Duncan
Alexander	Burlison, Mo.	du Pont
Anderson, Ill.	Byrnes, Wis.	Eckhardt
Anderson, Tenn.	Byron	Erlenborn
Archer	Camp	Fisher
Ashley	Carey, N.Y.	Flood
Aspin	Carlson	Flowers
Aspinall	Chappell	Flynt
Baring	Clausen, Don H.	Foley
Begich	Clay	Fountain
Belcher	Collins, Tex.	Fraser
Bennett	Colmer	Fulton
Bevill	Conover	Fuqua
Biaggi	Conyers	Galifianakis
Biester	Crane	Garmatz
Bingham	Culver	Gaydos
Blatnik	Daniel, Va.	Gettys
Bolling	Davis, Ga.	Giaimo
Bow	Delaney	Gonzalez
Brademas	Dellenback	Goodling
Brinkley	Dellums	Gray
Brown, Mich.	Denholm	Green, Oreg.
Brown, Ohio	Donohue	Griffin
Broyhill, N.C.	Dorn	Grover
Broyhill, Va.	Dow	Gude
Buchanan	Downing	Gubser
		Halpern

Hammer-schmidt	Mills, Md.	Seiberling
Hansen, Idaho	Minish	Shipley
Harrington	Mink	Shriver
Hathaway	Mitchell	Sikes
Hechler, W. Va.	Mizell	Sisk
Helstoski	Monagan	Skubitz
Henderson	Montgomery	Slack
Hicks, Mass.	Moorhead	Smith, Iowa
Hogan	Mosher	Snyder
Hosmer	Murphy, Ill.	Spence
Howard	Murphy, N.Y.	Staggers
Hunt	Myers	Stanton,
Jacobs	Natcher	J. William
Jarman	Nedzi	Stanton,
Johnson, Calif.	Obey	James V.
Johnson, Pa.	O'Hara	Steed
Jones, Ala.	O'Konski	Steele
Jones, N.C.	O'Neill	Stratton
Karth	Patten	Stubblefield
Kastenmeier	Perkins	Stuckey
Kazen	Pickle	Sullivan
Keating	Poage	Symington
Koch	Podell	Taylor
Kyros	Powell	Thompson, Ga.
Landgrebe	Preyer, N.C.	Thompson, N.J.
Latta	Price, Ill.	Thomson, Wis.
Leggett	Price, Tex.	Tiernan
Long, Md.	Quie	Udall
McCloskey	Randall	Vander Jagt
McCollister	Rangel	Vanik
McCulloch	Rees	Vigorito
McFall	Reuss	Ware
McKevitt	Robinson, Va.	Whalley
Macdonald,	Robison, N.Y.	Whitehurst
Mass.	Rodino	Whitten
Madden	Roe	Widnall
Mahon	Rogers	Wiggins
Mathis, Ga.	Rooney, Pa.	Wilson,
Matsunaga	Rosenthal	Charles H.
Mayne	Roush	Wolff
Mazzoli	Roy	Wyatt
Meeds	Sandman	Wylie
Mikva	Satterfield	Yates
Miller, Calif.	Saylor	Yatron
Miller, Ohio	Schmitz	Young, Tex.
	Sebelius	Zablocki

NAYS—23

Andrews, Ala.	Haley	Nix
Barrett	Hall	Pike
Byrne, Pa.	Hicks, Wash.	Pucinski
Collier	Horton	Sarbanes
Conable	Hutchinson	Teague, Calif.
Dennis	Kyl	White
Green, Pa.	Link	Wyman
Gross	Mills, Ark.	

NOT VOTING—194

Abbitt	Danielson	Heckler, Mass.
Abernethy	Davis, S.C.	Heinz
Abourezk	Davis, Wis.	Hillis
Addabbo	de la Garza	Holifield
Anderson,	Dent	Hull
Calif.	Derwinski	Hungate
Andrews,	Devine	Ichord
N. Dak.	Dickinson	Jonas
Annunzio	Diggs	Jones, Tenn.
Arends	Dingell	Kee
Ashbrook	Dowdy	Keith
Badillo	Dulski	Kemp
Baker	Dwyer	King
Bell	Edmondson	Kluczynski
Bergland	Edwards, Ala.	Kuykendall
Betts	Edwards, Calif.	Landrum
Blackburn	Eilberg	Lennon
Blanton	Esch	Lent
Boggs	Eshleman	Lloyd
Boland	Evans, Colo.	Long, La.
Brasco	Evins, Tenn.	Lujan
Bray	Fascell	McClory
Brooks	Findley	McClure
Broomfield	Fish	McCormack
Brotzman	Ford, Gerald R.	McDade
Burke, Fla.	Ford,	McDonald,
Burton	William D.	Mich.
Cabell	Forsythe	McEwen
Caffery	Frelinghuysen	McKay
Carney	Frenzel	McKinney
Carter	Frey	McMillan
Casey, Tex.	Gallagher	Mailliard
Cederberg	Gibbons	Mallary
Celler	Goldwater	Mann
Chamberlain	Grasso	Martin
Chisholm	Griffiths	Mathias, Calif.
Clancy	Hagan	Melcher
Clark	Hamilton	Metcalfe
Clawson, Del	Hanley	Michel
Cleveland	Hanna	Minshall
Collins, Ill.	Hansen, Wash.	Mollohan
Conte	Harsha	Morgan
Corman	Harvey	Moss
Cotter	Hastings	Nelsen
Coughlin	Hawkins	Nichols
Curlin	Hays	Passman
Daniels, N.J.	Hébert	Patman
Pelly	Roybal	Talcott
Pepper	Runnels	Teague, Tex.
Pettis	Ruppe	Terry
Peyser	Ruth	Thone
Pirnie	Ryan	Ullman
Poff	St Germain	Van Deerlin
Pryor, Ark.	Scherle	Veysey
Purcell	Scheuer	Waggonner
Quillen	Schneebeli	Waldie
Railsback	Schwengel	Wampler
Rarick	Scott	Whalen
Reid	Shoup	Williams
Rhodes	Smith, Calif.	Wilson, Bob
Riegle	Smith, N.Y.	Winn
Roberts	Springer	Wright
Roncalio	Steiger, Ariz.	Wydler
Rooney, N.Y.	Steiger, Wis.	Young, Fla.
Rostenkowski	Stephens	Zion
Rousselot	Stokes	Zwach

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Broomfield.
Mr. Hébert with Mr. Arends.
Mr. Rooney of New York with Mr. Rhodes.
Mr. Reid with Mr. Smith of New York.
Mr. Rostenkowski with Mr. Michel.
Mr. Ryan with Mr. Riegle.
Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Eilberg with Mr. Williams.
Mr. Morgan with Mr. Martin.
Mr. Wright with Mr. Ashbrook.
Mr. Teague of Texas with Mr. Terry.
Mr. Stephens with Mr. Carter.
Mr. Holifield with Mr. Mathias of California.
Mr. Hays with Mr. Devine.
Mrs. Hansen of Washington with Mr. McClure.
Mr. Addabbo with Mr. Kemp.
Mr. Brasco with Mr. Wydler.
Mr. Boggs with Mr. Gerald R. Ford.
Mr. Hull with Mr. McClory.
Mr. Jones of Tennessee with Mr. Kuykendall.
Mr. Kluczynski with Mr. Ruppe.
Mr. Mann with Mr. Dickinson.
Mr. Waldie with Mr. Bob Wilson.
Mr. Waggonner with Mr. Scott.
Mr. Passman with Mr. Frey.
Mr. Caffery with Mr. Quillen.
Mr. Roberts with Mr. Scherle.
Mr. Rarick with Mr. Poff.
Mrs. Griffiths with Mrs. Heckler of Massachusetts.
Mrs. Grasso with Mrs. Dwyer.
Mr. Cotter with Mr. Springer.
Mr. Daniels of New Jersey with Mr. Frelinghuysen.
Mr. Davis of South Carolina with Mr. Davis of Wisconsin.
Mrs. Chisholm with Mr. Gallagher.
Mr. Ichord with Mr. Blackburn.
Mr. Lennon with Mr. Hillis.
Mr. Stokes with Mr. Scheuer.
Mr. Collins of Illinois with Mr. Abourezk.
Mr. Burton with Mr. Mailliard.
Mr. Brooks with Mr. Mallary.
Mr. Kee with Mr. Metcalfe.
Mr. Mollohan with Mr. Minshall.
Mr. Moss with Mr. Pettis.
Mr. Nichols with Mr. Nelsen.
Mr. Pepper with Mr. Young of Florida.
Mr. Fascell with Mr. Burke of Florida.
Mr. Edwards of California with Mr. Del Clawson.
Mr. Dent with Mr. Coughlin.
Mr. Diggs with Mr. Pryor of Arkansas.
Mr. Dulski with Mr. Conte.
Mr. McCormack with Mr. Derwinski.
Mr. Hungate with Mr. Edwards of Alabama.
Mr. Hawkins with Mr. Dowdy.
Mr. Melcher with Mr. Esch.
Mr. Clark with Mr. McDade.
Mr. Celler with Mr. Forsythe.
Mr. Casey of Texas with Mr. Winn.
Mr. Cabell with Mr. Zwach.
Mr. Carney with Mr. Railsback.
Mr. Ullman with Mr. McKinney.
Mr. Van Deerlin with Mr. Pettis.
Mr. Abbitt with Mr. Pelly.
Mr. Abernethy with Mr. Lloyd.
Mr. Anderson of California with Mr. Heinz.
Mr. Badillo with Mr. Keith.
Mr. Boland with Mr. Cederberg.
Mr. Bergland with Mr. Bell.
Mr. Corman with Mr. Brotzman.
Mr. Danielson with Mr. Bray.
Mr. de la Garza with Mr. Betts.
Mr. Curlin with Mr. Jonas.
Mr. Dingell with Mr. Harvey.
Mr. Edmondson with Mr. Hastings.
Mr. Evans of Colorado with Mr. Cleveland.
Mr. William D. Ford with Mr. Chamberlain.
Mr. Gibbons with Mr. Eshleman.
Mr. Hagan with Mr. Findley.
Mr. St Germain with Mr. Clancy.
Mr. Runnels with Mr. Fish.
Mr. Purcell with Mr. Harsha.
Mr. McMillan with Mr. Frenzel.
Mr. Roybal with Mr. Goldwater.
Mr. Patman with Mr. Zion.
Mr. Landrum with Mr. Wampler.
Mr. Roncalio with Mr. Whalen.
Mr. White with Mr. Thone.
Mr. Hanley with Mr. Talcott.
Mr. Hamilton with Mr. Steiger of Wisconsin.
Mr. King with Mr. Lujan.
Mr. Lent with Mr. McDonald of Michigan.
Mr. McEwen with Mr. Rousselot.
Mr. Ruth with Mr. Schneebeli.
Mr. Shoup with Mr. Smith of California.
Mr. Steiger of Arizona with Mr. Schwengel.

Mrs. ABZUG and Messrs. WHITEHURST and ROBINSON of Virginia changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 12350, ECONOMIC OPPORTUNITY AMENDMENTS OF 1972

Mr. PERKINS submitted the following conference report and statement on the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 92-1367)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Economic Opportunity Amendments of 1972".

EXTENSION OF ECONOMIC OPPORTUNITY ACT

SEC. 2. (a) Sections 171, 245, 321, 408, 615, and 835 of the Economic Opportunity Act of 1964, as amended, are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "eight succeeding fiscal years".

(b) Section 523 of such Act is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "seven suceeding fiscal years".

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) For the purpose of carrying out parts A, B, and E of title I (relating to work and training) of the Economic Opportunity Act of 1964, there are authorized to be appro-

priated $900,300,000 for the fiscal year ending June 30, 1973, and $950,000,000 for the fiscal year ending June 30, 1974.

(b) (1) For the purpose of carrying out the Project Headstart program described in section 222(a)(1) of the Economic Opportunity Act of 1964, there are authorized to be appropriated $485,000,000 for the fiscal year ending June 30, 1973, and $500,000,000 for the fiscal year ending June 30, 1974.

(2) The Secretary of Health, Education, and Welfare shall establish policies and procedures designed to assure that not less than 10 per centum of the total number of enrollment opportunities in the Nation in the Headstart program shall be available for handicapped children (as defined in paragraph (1) of section 602 of the Elementary and Secondary Education Act of 1965, as amended) and that services shall be provided to meet their special needs. The Secretary shall implement his responsibilities under this paragraph in such a manner as not to exclude from any project any child who was participating in the program during the fiscal year ending June 30, 1972. Within six months after the date of enactment of this Act, and at least annually thereafter, the Secretary shall report to the Congress and the status of handicapped children in Headstart programs, including the number of children being served, their handicapping conditions, and the services being provided such children.

(3) For the purpose of carrying out the Follow Through program described in section 222(a)(2) of such Act, there are authorized to be appropriated $70,000,000 annually for the fiscal year ending June 30, 1973, and the succeeding fiscal year.

(c) (1) For the purpose of carrying out titles II, III, VI, VII, and IX of the Economic Opportunity Act of 1964, there are authorized to be appropriated $840,000,000 for the fiscal year ending June 30, 1973, and $870,000,000 for the fiscal year ending June 30, 1974.

(2) Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, of the amounts appropriated pursuant to paragraph (1) of this subsection for the fiscal year ending June 30, 1973, and for the succeeding fiscal year, the Director of the Office of Economic Opportunity shall for each such fiscal year reserve and make available not less than $328,900,000 for programs under section 221 of the Economic Opportunity Act of 1964 and not less than $71,500,000 for Legal Services programs under section 222(a)(3) of such Act.

(3) The Director shall allocate and make available the remainder of the amounts appropriated for carrying out the Economic Opportunity Act of 1964 for each fiscal year pursuant to paragraph (1) of this subsection (after funds are reserved for the purposes specified in paragraph (2) of this subsection) in such a manner, subject to the provisions of section 616 of such Act, as to make available with respect to each fiscal year—

(A) not less than $18,000,000 annually to be used for the Alcoholic Counseling and Recovery program described in section 222(a)(8) of such Act; and

(B) not less than $30,000,000 annually to be used for the Emergency Food and Medical Services program described in section 222(a)(5) of such Act.

(d) (1) There are authorized to be appropriated $58,000,000 for the fiscal year ending June 30, 1973, to be used for Domestic Volunteer Service programs under title VIII of the Economic Opportunity Act of 1964, of which (A) the amount of $44,500,000 shall be available for carrying out full-time volunteer programs designed to strengthen and supplement efforts to eliminate poverty under part A of such title VIII, and (B) the amount of $13,500,000 shall be available (notwithstanding the 10 per centum limitation set forth in the second sentence of section 821 of such Act) for carrying out programs designed to strengthen and supplement efforts to eliminate poverty under part B of such title VIII.

(2) If the sums authorized to be appropriated under paragraph (1) of this subsection are not appropriated and made available in full, then such sums as are so appropriated and made available for such fiscal year shall be allocated so that—

(A) any amounts appropriated not in excess of $37,000,000 shall be used for carrying out programs designed to strengthen and supplement efforts to eliminate poverty under part A of such title VIII;

(B) any amounts appropriated in excess of $37,000,000 but not in excess of $50,500,000 shall be used for programs designed to strengthen and supplement efforts to eliminate poverty under part B of such title VIII; and

(C) any amounts appropriated in excess of $50,500,000 shall be used for programs designed to strengthen and supplement efforts to eliminate poverty under part A of such title VIII.

(3) Section 833 of the Economic Opportunity Act of 1964 is amended (A) in subsection (b) thereof by striking out "under part A" and inserting in lieu thereof "under this title", and (B) in subsection (c) thereof by striking out "a volunteer under part A of this title" and inserting in lieu thereof "a full-time volunteer receiving either a living allowance or a stipended under this title".

(e) In addition to the amounts authorized to be appropriated and allocated pursuant to subsections (c) and (d) of this section, there are further authorized to be appropriated the sum of $16,000,000 to be used for Domestic Volunteer Service programs under title VIII of the Economic Opportunity Act of 1964, of which $8,000,000 shall be available for carrying out full-time volunteer programs under part A of such title VIII for ninety days after the enactment of this Act (of which amount $2,000,000 shall be available without regard to the limitation placed on the expenditure of funds by section 24 of this Act for programs, projects, or activities for which academic credit is granted to volunteer participants) and $8,000,000 shall remain available for expenditure in accordance with the provisions of such title during the fiscal year ending June 30, 1973.

TRANSFER OF FUNDS

SEC. 4. (a) Section 616 of the Economic Opportunity Act of 1964 is amended by inserting "for fiscal years ending prior to July 1, 1972, and not to exceed 20 per centum" immediately before the words "for fiscal years ending thereafter".

(b) Section 616 of such Act is further amended by striking out the semicolon the first time it appears therein and all matter thereafter through "$10,000,000" the second time it appears in such section.

TRAINING PROGRAMS FOR YOUTH

SEC. 5. Section 125(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new sentence: "The Director shall insure that low-income persons otherwise capable of such participation who reside in public or private institutions shall be eligible for participation in programs under this part.".

PROHIBITION OF ELECTIONS OR OTHER DEMOCRATIC SELECTION PROCEDURES ON SABBATH DAYS

SEC. 6. Section 211 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof a new subsection (g) as follows:

"(g) The Director shall ensure that no election or other democratic selection procedure conducted pursuant to clause (2) of subsection (b), or pursuant to clause (2) of subsection (f), shall be held on a Sabbath Day which is observed as a day of rest and worship by residents in the area served."

COMMUNITY ACTION BOARDS

SEC. 7. (a) The last sentence of section 211(b) of the Economic Opportunity Act of 1964 is amended by striking out "three" and inserting in lieu thereof 'five" and by striking out "six" and inserting in lieu thereof "ten".

(b) Section 211(b)(1) of such Act is amended to read as follows: "(1) one-third of the members of the board are elected public officials, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive public officials may be counted in meeting such one-third requirement.".

PARTICIPATION OF THE NONPOOR IN HEADSTART PROGRAMS

SEC. 8. The third sentence of section 222(a)(1) of the Economic Opportunity Act of 1964 is amended by striking out the comma and all the language following the words "make payment" and inserting in lieu thereof the following: "in accordance with an appropriate fee schedule established by the Secretary of Health, Education, and Welfare, based upon the ability of the family to pay, which payment may be made in whole or in part by a third party in behalf of such family, except that any such charges with respect to any family with an income of less than the lower living standard budget shall not exceed the sum of (i) an amount equal to 10 per centum of any family income which exceeds $4,320 but does not exceed 85 per centum of such lower living standard budget, and (ii) an amount equal to 15 per centum of any family income which exceeds 85 per centum of such lower living standard budget but does not exceed 100 per centum of such lower living standard budget, and if more than two children from the same family are participating, additional charges may be made not to exceed the sum of the amounts calculated in accordance with clauses (i) and (ii) with respect to each additional child. No charge will be made with respect to any child who is a member of any family with an annual income equal to or less than $4,320, with appropriate adjustments in the case of families having more than two children, except to the extent that payment will be made by a third party. Funds appropriated for the purpose of carrying out this section shall be used first to continue ongoing Headstart projects, or new projects serving the children from low-income families which were being served during the preceding fiscal year. There shall be reserved for such projects from such funds an amount at least equal to the aggregate amount received by public or private agencies or organizations during the preceding fiscal year for programs under this section. The Secretary may defer but not later than April 1, 1973, the establishment of a fee schedule under this paragraph upon certification that the establishment of such fee schedule would hinder the orderly operation of such projects prior to such time."

COMPREHENSIVE HEALTH SERVICES CHARGES

SEC. 9. Section 222(a)(4)(A)(ii) of the Economic Opportunity Act of 1964 is amended by striking out "such services may be available on an emergency basis or pending a determination of eligibility to all residents of such areas" and inserting in lieu thereof "pursuant to such regulations as the Director may prescribe, persons provided assistance through programs assisted under this paragraph who are not members of low-income families may be required to make payment, or have payment made in their behalf, in whole or in part for such assistance".

DRUG REHABILITATION PROGRAM

SEC. 10. (a) Section 222(a)(8) of the Economic Opportunity Act of 1964 is amended by striking out the last sentence thereof.

(b) Section 222(a)(9) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "The Director is authorized to undertake special programs aimed at promoting employment opportunities for rehabilitated addicts or addicts enrolled and participating in methadone maintenance treatment or therapeutic programs, and assisting employers in dealing with addiction and drug abuse and dependency problems among formerly hardcore unemployed so that they can be maintained in employment. In undertaking such programs, the Director shall give special priority to veterans and employers of significant numbers of veterans, with priority to those areas within the States having the highest percentages of addicts. The Director is further authorized to establish procedures and policies which will allow clients to complete a full course of rehabilitation even though they become non-low-income by virtue of becoming employed as a part of the rehabilitation process but there shall be no change in income eligibility criteria for initial admission to treatment and rehabilitation programs under this Act."

NEW SPECIAL EMPHASIS PROGRAMS

SEC. 11. Section 222(a) of the Economic Opportunity Act of 1964 is further amended by inserting at the end thereof the following:

"(10) An 'Environmental Action' program through which low-income persons will be paid for work (which would not otherwise be performed) on projects designed to combat pollution or to improve the environment. Projects may include, without limitation: clean-up and sanitation activities, including solid waste removal; reclamation and rehabilitation of eroded or ecologically damaged areas, including areas affected by strip mining; conservation and beautification activities, including tree planting and recreation area development; the restoration and maintenance of the environment; and the improvement of the quality of life in urban and rural areas.

"(11) A program to be known as 'Rural Housing Development and Rehabilitation' designed to assist low-income families in rural areas to construct and acquire ownership of adequate housing, to rehabilitate or repair existing substandard units in such areas, and to otherwise assist families in obtaining standard housing. Financial assistance under this paragraph shall be provided to nonprofit rural housing development corporations and cooperatives serving areas which are defined by the Farmers Home Administration as rural areas, and shall be used for, but not limited to, such purposes as administrative expenses; revolving development funds; nonrevolving land, land development and construction writedowns; rehabilitation or repair of substandard housing; and loans to low-income families. In the construction, rehabilitation, and repair of housing for low-income families under this paragraph, the services of persons enrolled in Mainstream programs may be utilized. Loans under this paragraph may be used for, but not limited to, such purposes as the purchase of new housing units, the repair, rehabilitation and purchase of existing units, and to supplement existing Federal loan programs in order that low-income families may benefit from them. The repayment period of such loans shall not exceed thirty-three years. No loans under this paragraph shall bear an interest rate of less than 1 per centum per annum, but if the Director, after having examined the family income of the applicant, the projected housing costs of the applicant, and such other factors as he deems appropriate, determines that the applicant would otherwise be unable to participate in this program, he may waive the interest in whole or in part and for such periods of time as he may establish except that (1) no such waiver may be granted to an applicant whose adjusted family income (as defined by the Farmers Home Administration) is in excess of $3,700 per annum and (2) any applicant for whom such a waiver is provided shall be required to commit at least 20 per centum of his adjusted family income toward the mortgage debt service and other housing costs. Family incomes shall be recertified annually, and monthly payments for all loans under this paragraph adjusted accordingly."

PUERTO RICO

SEC. 12. (a) Effective after June 30, 1972, section 225(a) of such Act is amended by striking out "Puerto Rico,".

(b) Effective after June 30, 1972, the first sentence of paragraph (1) of section 609 of such Act is amended by striking out the word "or" the second time it appears in such sentence and inserting in lieu thereof a comma and the following: "Puerto Rico, or".

NON-FEDERAL CONTRIBUTION CEILING

SEC. 13. Section 225(c) of the Economic Opportunity Act of 1964 is amended by inserting after the second sentence thereof the following new sentence: "The Director shall not require non-Federal contributions in excess of 20 per centum of the approved cost of programs or activities assisted under this Act."

SPECIAL PROGRAMS AUTHORIZED

SEC. 14. Part B of title II of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new sections:

"DESIGN AND PLANNING ASSISTANCE PROGRAMS

"SEC. 226. (a) The Director shall make grants or enter into contracts to provide financial assistance for the operating expenses of programs conducted by community-based design and planning organizations to provide technical assistance and professional architectural and related services relating to housing, neighborhood facilities, transportation and other aspects of community planning and development to persons and community organizations or groups not otherwise able to afford such assistance. Such programs shall be conducted with maximum use of the voluntary services of professional and community personnel. In providing assistance under this section, the Director shall afford priority to persons in urban or rural poverty areas with substandard housing, substandard public service facilities, and generally blighted conditions. Design and planning services to be provided by such organizations shall include—

"(1) comprehensive community or area planning and development;

"(2) specific projects for the priority planning and development needs of the community; and

"(3) educational programs directed to local residents emphasizing their role in the planning and development process in the community.

"(b) No assistance may be provided under this section unless such design and planning organization—

"(1) is a nonprofit organization located in the neighborhood or area to be served with a majority of the governing body of such organization comprised of residents of that neighborhood or area;

"(2) has a primary function the goal of bringing about, through the involvement of the appropriate community action agency or otherwise, maximum possible participation of local residents, especially low-income residents, in the planning and decision-making regarding the development of their community; and

"(3) will carry out its design and planning services principally through the voluntary participation of professional and community personnel (including, where available, VISTA volunteers).

"(c) Design and planning organizations receiving assistance under this section shall not subcontract with any profitmaking organization or pay fees for architectural or other professional services.

"(d) The Director shall make whatever arangements are necesary to continue pilot or demonstration projects of demonstrated effectiveness of the type described in this section receiving assistance under section 232 of this Act during the fiscal year ending June 30, 1971.

"YOUTH RECREATION AND SPORTS PROGRAM

"SEC. 227. (a) In order to provide to disadvantaged youth recreation and physical fitness instruction and competition with high-quality facilities and supervision and related educational and counseling services (including instruction concerning study practices, career opportunities, job responsibilities, health and nutrition, and drug abuse education) through regular association with college instructors and athletes and exposure to college and university campuses and other recreational facilities, the Director shall make grants or enter into contracts for the conduct of an annual youth recreation and sports program concentrated in the summer months and with continued activities throughout the year, so as to offer disadvantaged youth living in areas of rural and urban poverty an opportunity to receive such recreation and educational instruction, information, and services and to participate in such physical fitness programs and sports competitions.

"(b) No assistance may be provided under this section unless satisfactory assurances are received that (1) not less than 90 per centum of the youths participating in each program to be assisted under this section are from families with incomes below the poverty level, as determined by the Director, and that such participating youths and other neighborhood residents, through the involvement of the appropriate community action agency or otherwise, will have maximum participation in program planning and operation and (2) all significant segments of the low-income population of the community to be served will be served on an equitable basis in terms of participating youths and instructional and other support personnel.

"(c) Programs under this section shall be administered by the Director through grants or contracts with any qualified organization of colleges and universities or such other qualified nonprofit organizations active in the field with access to appropriate recreational facilities as the Director shall determine in accordance with regulations which he shall prescribe. Each such grant or contract and subcontract with participating institutions of higher education or other qualified organizations active in the field shall contain provisions to assure that the program to be assisted will provide a non-Federal contribution (in cash or in kind) of no less than 20 per centum of the direct costs necessary to carry out the program. Each such grant, contract, or subcontract shall include provisions for—

"(1) providing opportunities for disadvantaged youth to engage in competitive sports and receive sports skills and physical fitness instruction and education in good health and nutrition practices;

"(2) providing such youth with instruction and information regarding study practices, career opportunities, job responsibilities, and drug abuse;

"(3) carrying out continuing related activities throughout the year;

"(4) meeting the requirements of subsection (b) of this section;

"(5) enabling the contractor and institutions of higher education or other qualified organizations active in the field located conveniently to such areas of poverty and the students and personnel of such institutions or organizations active in the field to participate more fully in the community life and in solutions of community problems; and

"(6) serving metropolitan centers of the United States and rural areas, within the limits of program resources.

"CONSUMER ACTION AND COOPERATIVE PROGRAMS

"SEC. 228. (a) The Director shall make grants or enter into contracts to provide financial assistance for the development, technical assistance to and conduct of consumer action and advocacy and cooperative programs, credit resources development programs, and consumer protection and education programs designed to demonstrate various techniques and models and to carry out projects to assist and provide technical assistance to low-income persons to try to improve the quality, improve the delivery, and lower the price of goods and services, to obtain, without undue delay or burden, financial credit at reasonable cost, and to develop means of enforcing consumer rights, developing consumer grievance procedures and presenting consumer grievances, submitting consumer views and concerns for protection against unfair, deceptive, or discriminatory trade and commercial practices and educating low-income persons with respect to such rights, procedures, grievances, views and concerns.

"(b) No assistance may be provided under this section unless the grantee or contracting organization or agency is a nonprofit organization and has as a primary function the goal of bringing about, through the involvement of the appropriate community action agency or otherwise, maximum possible participation of low-income persons in the project.

"(c) The Director shall make whatever arrangements are necessary to continue pilot or demonstration projects of demonstrated effectiveness, or which have not yet been evaluated until such time as an evaluation is conducted and the effectiveness determined and to carry out evaluations of such projects, of the type described in this section receiving assistance under section 232 of this Act during the fiscal year ending June 30, 1971 or June 30, 1972."

TERMINATION OF ASSISTANCE

SEC. 15. Section 231 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following:

"(d) If any member of a board to which section 211(b) is applicable files an allegation with the Director that an agency receiving assistance under this section is not observing any requirement of this Act, or any regulation, rule, or guideline promulgated by the Director under this Act, the Director shall promptly investigate such allegation and shall consider it; and, if after such investigation and consideration he finds reasonable cause to believe that the allegations are true, he shall hold a hearing, upon the conclusion of which he shall notify all interested persons of his findings. If he finds that the allegations are true, and that, after being afforded a reasonable opportunity to do so, the agency has failed to make appropriate corrections, he shall forthwith terminate further assistance under this title to such agency until he has received assurances satisfactory to him that further violations will not occur."

SPECIAL ASSISTANCE

SEC. 16. Part C of title II of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"SPECIAL ASSISTANCE

"SEC. 234. The Director may provide financial assistance for projects conducted by public or private nonprofit agencies which are designed to serve groups of low-income individuals who are not being effectively served by other programs under this title. In administering this section, the Director shall give special consideration to programs designed to assist older persons and other low-income individuals who do not reside in low-income areas and who are not being effectively served by other programs under this title."

DISTRIBUTION OF FINANCIAL ASSISTANCE

SEC. 17. Section 244 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following:

"(8) Consistent with the provisions of this Act, the Director shall assure that financial assistance under this title will be distributed on an equitable basis in any community and within any State so that all significant segments of the low-income population are being served."

AMENDMENT TO MIGRANT FARMWORKERS PROGRAM

SEC. 18. Section 312(b)(3) of the Economic Act of 1964 is amended by inserting after the word "Government" the words "employment or".

DAY CARE STANDARDS

SEC. 19. Section 522(d) of the Economic Opportunity Act of 1964 is amended by adding a new sentence after the words "local levels." as follows: "Such standards shall be no less comprehensive than the Federal interagency day care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968."

PROHIBITION OF POLITICAL ACTIVITY

SEC. 20. Section 603 of the Act is amended by adding at the end thereof the following new subsection:

"(c) No part of any funds appropriated to carry out this Act, subpart (1) of part B of title V of the Higher Education Act of 1965, or any program administered by ACTION shall be used to finance, directly or indirectly, and activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity, the Teacher Corps, or ACTION, who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term 'election' has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971 and the term 'Federal office' has the same meaning given such term by section 301(c) of such Act."

DEFINITION OF LOWER LIVING STANDARD BUDGET

SEC. 21. Section 609 of the Act is amended by adding at the end thereof the following:

"(5) the term 'lower living standard budget' means that income level (adjusted for regional and metropolitan, urban and rural differences and family size) determined annually by the Bureau of Labor Statistics of the Department of Labor and referred to by such Department as the 'lower living standard budget'."

GUIDELINES

SEC. 22. Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"GUIDELINES

"SEC. 623. All rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date."

NONDISCRIMINATION

SEC. 23. Part A of title VI of the Economic Opportunity Act of 1964 is further amended by adding at the end thereof the following new section:

"NONDISCRIMINATION PROVISIONS

"SEC. 624. (a) The Director shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this Act. The Director shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Director to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act."

POVERTY LINE

SEC. 24. Part A of title VI of the Economic Opportunity Act of 1964 is further amended by inserting the following new section at the end thereof:

"POVERTY LINE

"SEC. 625. (a) Every agency administering programs authorized by this Act in which the poverty line is a criterion of eligibility shall revise the poverty line at annual intervals, or at any shorter interval it deems feasible and desirable.

"(b) The revision required by subsection (a) of this section shall be accomplished by multiplying the official poverty line (as defined by the Office of Management and Budget) by the average percentage change in the consumer price index during the annual or other interval immediately preceding the time at which the revision is made.

"(c) Revisions required by subsection (a) of this section shall be made and issued not more than thirty days after the date on which the necessary consumer price index data becomes available."

COMMUNITY ECONOMIC DEVELOPMENT

SEC. 25. (a) The Economic Opportunity Act is amended by inserting immediately after title VI the following new title:

"TITLE VII—COMMUNITY ECONOMIC DEVELOPMENT

"STATEMENT OF PURPOSE

"SEC. 701. The purpose of this title is to encourage the development of special programs by which the residents of urban and rural low-income areas may, through self-help and mobilization of the community at large, with appropriate Federal assistance, improve the quality of their economic and social participation in community life in such a way as to contribute to the elimination of poverty and the establishment of permanent economic and social benefits.

"PART A—SPECIAL IMPACT PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 711. The purpose of this part is to establish special programs of assistance to private locally initiated community corporations and related nonprofit agencies, including cooperatives, or organizations conducting activities which (1) are directed to the

solution of the critical problems existing in particular communiites or neighborhoods (defined without regard to political or other subdivisions or boundaries) within those urban and rural areas having concentrations or substantial numbers of low-income persons; (2) are of sufficient size, scope, and duration to have an appreciable impact in such communities, neighborhoods, and rural areas in arresting tendencies toward dependency, chronic unemployment, and community deterioration; and (3) hold forth the prospect of continuing to have such impact after the termination of financial assistance under this title.

"ESTABLISHMENT OF PROGRAMS

"SEC. 712. (a) The Director is authorized to provide financial assistance to community development corporations and to cooperatives and other nonprofit agencies in conjunction with qualifying community development corporations for the payment of all or part of the costs of programs which are designed to carry out the purposes of this part. Such programs shall be restricted in number so that each is of sufficient size, scope, and duration to have an appreciable impact on the area served. Such programs may include—

"(1) economic and business development programs, including programs which provide financial and other assistance (including equity capital) to start, expand, or locate businesses in or near the areas served so as to provide employment and ownership opportunities for residents of such areas, and programs including those described in title IV of this Act for small businesses in or owned by residents of such areas;

"(2) community development and housing activities which create new training, employment, and ownership opportunities and which contribute to an improved living environment; and

"(3) manpower training programs for unemployed or low-income persons which support and complement economic, business, housing, and community development programs, including without limitation activities such as those described in part B of title I of this Act.

"(b) The Director shall conduct programs assisted under this part so as to contribute, on an equitable basis between urban and rural areas, to the elimination of poverty and the establishment of permanent economic and social benefits in such areas.

"REQUIREMENTS FOR FINANCIAL ASSISTANCE

"SEC. 713. (a) The Director, under such regulations as he may establish, shall not provide financial assistance for any program or component project under this part unless he determines that—

"(1) such community development corporation is responsive to residents of the area under guidelines established by the Director;

"(2) all projects and related facilities will, to the maximum feasible extent, be located in the area served;

"(3) projects will, where feasible, promote the development of entrepreneurial and management skills and the ownership or participation in ownership of assisted businesses and housing, cooperatively or otherwise, by residents of the area served;

"(4) projects will be planned and carried out with the maximum participation of local businessmen and financial institutions and organizations by their inclusion on program boards of directors, advisory councils, or through other appropriate means;

"(5) the program will be appropriately coordinated with local planning under this Act, the Demonstration Cities and Metropolitan Development Act of 1966, and with other relevant planning for physical and human resources of the areas served;

"(6) the requirements of subsections 122 (e) and 124(a) of this Act have been met;

"(7) preference will be given to low income or economically disadvantaged residents of the areas served in filling jobs and training opportunities; and

"(8) training programs carried out in connection with projects financed under this part shall be designed wherever feasible to provide those persons who successfully complete such training with skills which are also in demand in communities, neighborhoods, or rural areas, other than those for which programs are established under this part.

"(b) Financial assistance under this section shall not be extended to assist in the relocation of establishments from one location to another if such relocation would result in an increase in unemployment in the area of original location.

"(c) The level of financial assistance for related purposes under this Act to the area served by a special impact program shall not be diminished in order to substitute funds authorized by this part.

"APPLICATION OF OTHER FEDERAL RESOURCES

"SEC. 714. (a) SMALL BUSINESS ADMINISTRATION PROGRAMS.—

"(1) Funds granted under this part which are invested, directly or indirectly, in a small business investment company or a local development company shall be included as 'private paid-in capital and paid-in surplus,' 'combined paid-in capital and paid-in surplus,' and 'paid-in capital' for purposes of sections 302, 303, and 502, respectively, of the Small Business Investment Act of 1958.

"(2) Within ninety days of the enactment of the Economic Opportunity Amendments of 1972, the Administrator of the Small Business Administration, after consultation with the Director, shall prescribe such regulations as may be necessary and appropriate to insure the availability to community development corporations of such programs as shall further the purposes of this part.

"(b) ECONOMIC DEVELOPMENT ADMINISTRATION PROGRAMS.—

"(1) Areas selected for assistance under this part shall be deemed 'redevelopment areas' within the meaning of section 401 of the Public Works and Economic Development Act of 1965, and shall qualify for assistance under the provisions of title I and title II of that Act.

"(2) Within ninety days of the enactment of the Economic Opportunity Amendments of 1972, the Secretary of Commerce, after consultation with the Director, shall prescribe such regulations as may be necessary and appropriate to insure the availability to community development corporations of such programs as shall further the purposes of this part.

"(c) PROGRAMS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—The Secretary of Housing and Urban Development, after consultation with the Director, shall take all necessary steps (1) to assure that community development corporations assisted under this part or their subsidiaries, shall qualify as sponsors under section 106 of the Housing and Urban Development Act of 1968, and sections 221, 235, and 236 of the National Housing Act of 1949; (2) to assure that land for housing and business location and expansion is made available under title I of the Housing Act of 1949 as may be necessary to carry out the purposes of this part; and (3) to assure that funds are available under section 701(b) of the Housing Act of 1954 to community development corporations assisted under this part.

"(d) COORDINATION AND COOPERATION.—The Director shall take such steps as may be necessary and appropriate, in coordination and cooperation with the heads of other Federal departments and agencies, so that contracts, subcontracts, and deposits made by the Federal Government or in connection with programs aided with Federal funds are placed in such a way as to further the purposes of this part.

"(e) REPORTING ON OTHER FEDERAL RESOURCES.—On or before six months after the date of enactment of the Economic Opportunity Amendments of 1972, and annually thereafter, the Director shall submit to the Congress a detailed report setting forth a description of all Federal agency programs which he finds relevant to achieving the purposes of this part and the extent to which such programs have been made available to community development corporations receiving financial assistance under this part including specifically the availability and effectiveness of programs referred to in subsections (a), (b), and (c) of this section. Where appropriate, the report required under this subsection also shall contain recommendations for the more effective utilization of Federal agency programs for carrying out the purposes of this part.

"FEDERAL SHARE

"SEC. 715. Federal grants to any program carried out pursuant to this part, including grants used by community development corporations for capital investments, shall (1) not exceed 90 per centum of the cost of such program including costs of administration unless the Director determines that assistance in excess of such percentage is required in furtherance of the purposes of this part, and (2) be made available for deposit to the grantee, under conditions which the Director deems appropriate, within thirty days following approval by the Director and the local community development corporation of the grant agreement. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services. Capital investments made with funds granted as a result of the Federal share of the costs of programs carried out under this part, and the proceeds from such capital investments, shall not be considered Federal property.

"PART B—RURAL PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 721. It is the purpose of this part to meet the special economic needs of rural communities or areas with concentrations or substantial numbers of low-income persons by providing support to self-help programs which promote economic development and independence, as a supplement to existing similar programs conducted by other departments and agencies of the Federal Government. Such programs should encourage low-income families to pool their talents and resources so as to create and expand rural economic enterprise.

"FINANCIAL ASSISTANCE

"SEC. 722. (a) The Director is authorized to provide financial assistance, including loans having a maximum maturity of 15 years and in amounts not resulting in an aggregate principal indebtedness of more than $3,500 at any one time, to any low-income rural family where, in the judgment of the Director, such financial assistance has a reasonable possibility of effecting a permanent increase in the income of such families, or will contribute to the improvement of their living or housing conditions, by assisting or permitting them to—

"(1) acquire or improve real estate or reduce encumbrances or erect improvements thereon;

"(2) operate or improve the operation of farms not larger than family sized, including but not limited to the purchase of feed, seed, fertilizer, livestock, poultry, and equipment; or

"(3) participate in cooperative asociations, or to finance nonagricultural enterprises which will enable such families to supplement their income.

"(b) The Director is authorized to provide financial assistance to local cooperative associations in rural areas containing concentrations or substantial numbers of low-income persons for the purpose of defraying all or part of the costs of establishing and operating cooperative programs for farming, purchasing, marketing, processing, and to improve their income as producers and their purchasing power as consumers, and to provide such essentials as credit and health services. Costs which may be defrayed shall include but not be limited to—

"(1) administrative costs of staff and overhead;

"(2) costs of planning and developing new enterprises;

"(3) costs of acquiring technical assistance; and

"(4) initial capital where it is determined by the Director that the poverty of the families participating in the program and the social conditions of the rural area require such assistance.

"LIMITATIONS ON ASSISTANCE

"SEC. 723. (a) No financial assistance shall be provided under this part unless the Director determines that—

"(1) any cooperative association receiving assistance has a minimum of fifteen active members, a majority of which are low-income rural persons;

"(2) adequate technical assistance is made available and committed to the programs being supported;

"(3) such financial assistance will materially further the purposes of this part; and

"(4) the applicant is fulfilling or will fulfill a need for services, supplies, or facilities which is otherwise not being met.

"(b) The level of financial assistance for related purposes under this Act to the area served by a program under this part shall not be diminished in order to substitute funds authorized by this part.

"PART C—SUPPORT PROGRAMS

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 731. (a) The Director shall provide directly or through grants, contracts, or other arrangements such technical assistance and training of personnel as may be required to effectively implement the purposes of this title. No financial assistance shall be provided to any public or private organization under this section unless the Director provides the beneficiaries of these services with opportunity to participate in the selection of and to review the quality and utility of the services furnished them by such organization.

"(b) Technical assistance to community development corporations and both urban and rural cooperatives may include planning, management, legal, preparation of feasibility studies, product development, marketing, and the provision of stipends to encourage skilled professionals to engage in full-time activities under the direction of a community organization financially assisted under this title.

"(c) Training for employees of community development corporations and for employees and members of urban and rural cooperatives shall include, but not be limited to, on-the-job training, classroom instruction, and scholarships to assist them in development, managerial, entrepreneurial, planning, and other technical and organizational skills which will contribute to the effectiveness of programs assisted under this title.

"DEVELOPMENT LOAN FUND

"SEC. 732. (a) The Director is authorized to make or guarantee loans (either directly or in cooperation with banks or other organizations through agreements to participate on an immediate or deferred basis) to community development corporations and to cooperatives eligible for financial assistance under section 712 of this title, to families under section 722(a), and to local cooperatives eligible for financial assistance under section 722(b) for business, housing, and community development projects who the Director determines will carry out the purposes of this title. No loans, guarantees, or other financial assistance shall be provided under this section unless the Director determines that—

"(1) there is reasonable assurance of repayment of the loan;

"(2) a loan is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs; and

"(3) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made.

Loans made by the Director pursuant to this section shall bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes, except that, for the five years following the date on which funds are initially available to the borrower, the rate of interest shall be set at a rate considered appropriate by the Director in light of the particular needs of the borrower, which rate shall not be lower than 1 per centum. All such loans shall be repayable within a period of not more than thirty years.

"(b) The Director is authorized to adjust interest rates, grant moratoriums on repayment of principal and interest, collect or compromise any obligations held by him, and to take such other actions in respect to such loans as he shall determine to be necessary or appropriate, consistent with the purposes of this section.

"(c) (1) To carry out the lending and guaranty functions authorized under this part, there shall be established a Development Loan Fund consisting of two separate accounts, one of which shall be a revolving fund called the Rural Development Loan Fund and the other of which shall be a revolving fund called the Community Development Loan Fund. The capital of each such revolving fund shall remain available until expended.

"(2) The Rural Development Loan Fund shall consist of such amounts as may be deposited in such Fund by the Director out of funds made available from appropriations for the purposes of carrying out this title.

"(3) The Community Development Loan Fund shall consist of such amounts as may be deposited in such fund by the Director out of funds made available from appropriations for the purpose of carrying out this title. The Secretary may make deposits in the Community Development Loan Fund in any fiscal year in which he has made available for grants to community development corporations not less than $60,000,000 out of funds made available from appropriations for the purpose of carrying out this title.

"EVALUATION AND RESEARCH

"SEC. 733. (a) Each program for which grants are made under this title shall provide for a thorough evaluation of the effectiveness of the program in achieving its purposes, which evaluation shall be conducted by such public or private organizations as the Director may designate, and all or part of the costs of evaluation may be paid from funds appropriated to carry out this part. The results of such evaluations, together with the Director's findings and recommendations concerning the program, shall be included in the report required by section 608 of this Act.

"(b) The Director shall conduct, either directly or through grants or other arrangements, research designed to suggest new programs and policies to achieve the purposes of this title in such ways as to provide opportunities for employment, ownership, and a better quality of life for low-income residents. The Director shall particularly investigate the feasibility and most appropriate manner of establishing development banks and similar institutions and shall report to the Congress on his research findings and recommendations not later than June 30, 1973.

"PART D—GENERAL

"PROGRAM DURATION AND AUTHORITY

"SEC. 741. The Director shall carry out programs provided for in this title during the fiscal year ending June 30, 1972, and for the three succeeding fiscal years. For each fiscal year only such sums may be appropriated as the Congress may authorize by law."

(b) Part D of title I of the Economic Opportunity Act of 1964 is repealed.

AMENDMENT WITH RESPECT TO VOLUNTEER PROGRAMS

SEC. 26. (a) The second sentence of section 801 of the Economic Opportunity Act of 1964 is amended by inserting after the words "to eliminate poverty" the following: "and to deal with environmental problems focused primarily upon the needs of low-income persons and the communities in which they reside".

(b) Section 811(a) of such Act is amended as follows:

(1) by striking out the first sentence thereof, and

(2) by inserting in lieu thereof: "Volunteers under this part shall be required to make a full-time personal commitment to achieving the purpose of this title and the goals of the projects or programs to which they are assigned."

(c) Section 820(a) of such Act is amended as follows:

(1) by striking out the first sentence of subsection (a), and

(2) by inserting in lieu thereof: "The Director shall develop programs designed to expand opportunities for persons to participate in a direct and personal way, on a part-time basis or for short periods of service either in their home or nearby communities or elsewhere, in volunteer activities contributing to the elimination of poverty and otherwise in furtherance of the purpose of this title."

(d) The first sentence of section 821 of such Act is amended, effective July 1, 1972, by inserting before the period at the end thereof a comma and the following: "and such programs shall include any program, project, or activity otherwise authorized under the provisions of this title for which academic credit is granted to volunteer participants in connection with their volunteer service (not including time devoted to training)".

EVALUATION

SEC. 27. (a) The Economic Opportunity Act of 1964 is further amended by inserting at the end thereof the following new title:

"TITLE IX—EVALUATION

"COMPREHENSIVE EVALUATION OF PROGRAMS

"SEC. 901. (a) The Director shall provide for the continuing evaluation of programs under this Act and of programs authorized under related Acts, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such programs, their effectiveness in achieving stated goals, their impact on related programs, and their structure, and mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. The Director may, for such purposes, contract or make other arrangements

for independent evaluations of those programs or individual projects.

"(b) The Director shall to the extent feasible develop and publish standards for evaluation of program effectiveness in achieving the objectives of this Act. He shall consider the extent to which such standards have been met in deciding whether to renew or supplement financial assistance authorized under any section of this Act.

"(c) In carrying out this title, the Director may require community action agencies to provide independent evaluations.

"COOPERATION OF OTHER AGENCIES

"SEC. 902. Federal agencies administering programs related to this Act shall—

"(1) cooperate with the Director in the discharge of his responsibility to plan and conduct evaluations of such poverty-related programs as he deems appropriate, to the fullest extent permitted by other applicable law; and

"(2) provide the Director on a cooperative basis with such agency, with such statistical data, program reports, and other materials, as they collect and compile on program operations, beneficiaries, and effectiveness.

"CONSULTATION

"SEC. 903. (a) In carrying out evaluations under this title, the Director shall, whenever possible, arrange to obtain the opinions of program participants about the strengths and weaknesses of programs.

"(b) The Director shall consult, when appropriate, with State agencies, in order to provide for jointly sponsored objective evaluation studies of programs on a State basis.

"PUBLICATION OF EVALUATION RESULTS

"SEC. 904. (a) The Director shall publish summaries (prepared by the evaluator) of the results of evaluative research and evaluations of program impact and effectiveness no later than sixty days after its completion.

"(b) The Director shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

"(c) The Director shall publish summaries of the results of activities carried out pursuant to this title in the report required by section 608 of this Act.

"EVALUATION BY OTHER ADMINISTERING AGENCIES

"SEC. 905. The head of any agency administering a program authorized under this Act may, with respect such program, conduct evaluations and take other actions authorized under this title to the same extent and in the same manner as the Director under this title. Nothing in this section shall preclude the Director from conducting such evaluations or taking such actions otherwise authorized under this title with respect to such programs."

(b)(1) Subsection (a) of section 113, subsections (b) and (c) of section 132, section 233, and section 314(b) of the Economic Opportunity Act of 1964 are repealed.

(2) Section 632(2) of such Act is amended by striking out "carry on a continuing evaluation of all activities under this Act, and".

(3) Sections 132 and 314 of such Act are each amended by striking out "(a)".

FUNCTIONS OF DIRECTOR

SEC. 28. Notwithstanding the provisions of section 602(d) of the Economic Opportunity Act of 1964, the Director of the Office of Economic Opportunity shall not delegate his functions under section 221 and title VII of such Act to any other agency.

AMENDMENT TO THE OLDER AMERICANS ACT OF 1965

SEC. 29. (a) Section 611(a) of the Older Americans Act of 1965 (42 U.S.C. 3044(b)) is amended by adding at the end thereof the following new sentence: "The Director of ACTION may approve assistance in excess of 90 per centum of the cost of the development and operation of such projects if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this section."

(b) The amendment made by subsection (a) of this section shall be effective from the date of enactment of this Act. In the case of any project with respect to which, prior to such date, a grant or contract has been made under such section or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

And the Senate agree to the same.

CARL D. PERKINS,
ROMAN C. PUCINSKI,
AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
PATSY T. MINK,
ALBERT H. QUIE,
JOHN N. ERLENBORN,
WILLIAM A. STEIGER,
Managers on the Part of the House.

GAYLORD NELSON,
HAROLD E. HUGHES,
ADLAI E. STEVENSON III,
JENNINGS RANDOLPH,
BOB TAFT, JR.,
J. JAVITS,
RICHARD S. SCHWEIKER,
PETER H. DOMINICK,
J. GLENN BEALL, JR.,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two houses on the amendment of the Senate to the House bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The points in disagreement and the conference resolution of them are as follows:

The House bill authorized $2,304,066,000 for fiscal year 1972 and $3,000,000,000 for fiscal year 1973. Of these amounts $350,000,000 a year was reserved for local initiative programs and a specific authorization of $500,000,000 for fiscal 1972 and $1,000,000,000 for fiscal 1973 was authorized for Project Headstart.

The Senate amendment authorized the following amounts:

[In millions]

	1972	1973	1974
Department of Labor programs:			
Title IABE	$900.0	$950.0	$950.0
Special NYC	500.0	500.0	500.0
Health, education, and welfare programs:			
Headstart	500.0	500.0	500.0
Follow Through	100.0	100.0	100.0
ACTION programs: VISTA	37.0	58.0	
OEO programs:			
Total titles II, III, VI, VII, IX, X	(950.0)	(1,000.0)	(1,000.0)
Local initiative [1]	328.9	328.9	328.9
Legal services [1]	71.5	71.5	71.5
Comprehensive health	114.0	114.0	114.0
Emergency food	62.5	62.5	62.5
Family planning	25.0	25.0	25.0
SOS	8.8	8.8	8.8
Alcoholic counseling	18.0	18.0	18.0

[In millions]

	1972	1973	1974
Drug rehabilitation	$18.0	$18.0	$18.0
Environmental action	5.0	5.0	5.0
Rural housing	10.0	10.0	10.0
Consumer action	7.5	7.5	7.5
Design and planning	10.0	10.0	10.0
Youth recreation and sports	6.0	6.0	6.0
T. & T.A., SEOO, R. & D	117.6	117.6	117.6
Title III migrants	38.0	38.0	38.0
Titles VI and X	18.0	18.0	18.0
Title VII	58.0	58.0	58.0
Other	33.2	83.2	83.2
Add ons:			
Title VII		62.0	62.0
Legal services		100.0	100.0
Rural housing		5.0	5.0
VISTA	16.0		
SOS		21.2	21.2
Urban housing	20.0	20.0	20.0
Special assistance	50.0	50.0	50.0

[1] These amounts are reservations as well as authorization levels.

The conference agreement contains the following authorizations of appropriations:

For title I, Parts A, B, and E (work and training programs) the sums of $900,300,000 for fiscal year 1973 and $950,000,000 for fiscal year 1974;

For Headstart the sums of $485,000,000 for fiscal year 1973 and $500,000,000 for fiscal year 1974;

For Follow Through the sums of $70,000,000 for each of fiscal years 1973 and 1974;

For title VIII (VISTA) the sum of $74,000,000 for fiscal year 1974;

For all OEO-administered programs, titles II, III, VI, VII and IX the sums of $840,000,000 for fiscal year 1973 and $870,000,000 for fiscal year 1974. Of the amounts appropriated for OEO programs, the conference agreement reserves not less than $328,900,000 for programs under section 221 of the Act (Local Initiative) for each fiscal year and not less than $71,500,000 for Legal Services programs under section 222(a)(3) for each fiscal year. The conference agreement further provides that the remaining amounts are to be so allocated that for each fiscal year not less than $18,000,000 shall be used for the Alcoholic Counseling and Recovery program under section 222(a)(8) and not less than $30,000,000 shall be used for the Emergency Food and Medical Services program under section 222(a)(5).

For the balance of the programs operated by OEO, the conferees strongly recommend that the following amounts be made available for each of the programs;

	Fiscal 1973	Fiscal 1974
Comprehensive health	$100,000,000	$100,000,000
Family planning	20,000,000	20,000,000
Senior opportunities	8,000,000	18,000,000
Drug rehabilitation	18,000,000	19,000,000
Environmental action	5,000,000	5,000,000
Rural housing	15,000,000	20,000,000
Consumer action	7,500,000	7,500,000
Design and planning	10,000,000	10,000,000
Youth recreation and sports	4,500,000	4,500,000
T. & T.A., SEOO, R. & D	109,600,000	109,600,000
Title III (migrants)	36,000,000	36,000,000
Title VI and IX (administration and evaluation)	18,000,000	18,000,000
Title VII (community economic development)	40,000,000	55,000,000

In paragraphs (2) and (3) of section 3(c) of the conference agreement, the term "reserve and make available" is used in connection with the reservation and allocation of funds. By this the conferees mean that the sums required to be "made available" shall be newly obligated during each of the fiscal years for which such sums are required to be made available.

The Senate amendment authorized the Secretary of HEW to establish procedures to assure that not less than 10% of the en-

rollment opportunities in Project Headstart in the nation be available for handicapped children. There was no comparable House provision. The House recedes.

The House bill extended the authority for programs under the Act for two additional years. The Senate amendment extended the provision for three additional years. The House recedes.

The Senate amendment extended the length of time a person can serve on a community action board from three to six consecutive years and increased the total number of years a person may serve to twelve years. There was no comparable House provision. The conference agreement extends the length of service on a community action board to five consecutive years and increases the total number of years to ten.

The House bill required that the public officials who comprise one-third of each community action agency board be elected officials except where fewer than the requisite number of elected officials were available and willing to serve, in which case appointive public officials could be counted toward fulfilling the requirements of this subsection. There was no comparable Senate provision. The Senate recedes with the understanding that elected officials refers to those with general governmental responsibilities or responsibilities encompassing antipoverty programs—not to officials with limited or administrative responsibilities in specialized areas, such as a water district commissioner.

The House bill established guidelines which must be followed by the Secretary of Health, Education, and Welfare in promulgating fee schedules for the participation of non-low-income children in Project Headstart. No charge could be made with respect to any child who was a member of a family with an annual income less than $4,320. A graduated fee schedule was prescribed up to the level of the lower living standard budget as determined by the Bureau of Labor Statistics. Beyond that point the Secretary is given discretion. There was no comparable Senate provision. The Senate recedes.

The Conference agreement further provides that if the Secretary of HEW certifies that the establishment of such a fee schedule would substantially impair the ongoing Headstart programs, he may postpone their establishment, but under no circumstances may such establishment be postponed beyond April 1, 1973.

The Senate amendment allowed addicts enrolled and participating in methadone maintenance treatment or therapeutic programs to participate in the program. The House bill limited participation to rehabilitated addicts. The House recedes.

The Senate amendment allowed the Director to undertake special programs assisting employers in dealing with problems of employee "drug abuse and dependency". The House bill only allowed programs dealing with "drug abuse". The House recedes.

The Senate amendment required that priority be given to areas within the States having the highest percentage of addicts. There was no comparable House provision. The House recedes.

Both the House bill and the Senate amendment called upon the Director to establish procedures whereby addicts undergoing rehabilitation and participation in this program who, during the course of such rehabilitation, became non-low-income as a result thereof would nevertheless remain eligible to participate in this program until they had completed a full course of rehabilitation. The House bill also made clear that there is to be no exception to income criteria for initial entry into the program. The Senate amendment had no comparable provision. The Senate recedes.

Both the House bill and the Senate amendment established an Environmental Action program through which low-income persons would be paid for working on projects to combat pollution or to improve the environment. The Senate amendment also required that such work projects be those which would not otherwise be performed. There was no comparable House provision. The House recedes. The purpose of the provision in the Senate amendment is to insure that the program be operated in such a way as not to displace persons currently employed in similar tasks, but the conferees wish to make clear that they do not expect the Director to arbitrarily use the language as an excuse for not funding programs authorized under this section.

Both the House bill and the Senate amendment authorized a new program to be known as Rural Housing and Rehabilitation. In addition, the Senate amendment allowed the use of persons enrolled in Mainstream programs in the construction, rehabilitation, and repair of housing for low-income persons under this paragraph. The House recedes. The conferees wish it clearly understood that this new program is intended for a limited number of sponsors in order to fully demonstrate its potential. The conferees expect that the program will be administered in the national office of the Office of Economic Opportunity and that no regionalization of the program will take place until Congress has had an opportunity to assess its effectiveness.

The Senate amendment placed the administrative responsibility for the Youth Recreation and Sports Program with the Director of the Office of Economic Opportunity. The House bill placed such responsibility with the Secretary of Health, Education, and Welfare. The House recedes. The conferees wish to make clear that the Director of the Office of Economic Opportunity is given the discretion to continue to enter into delegation agreements he considers appropriate.

The Senate amendment specifically required the participation of all significant segments of low-income population to be served. There was no comparable House provision. The House recedes.

The House bill and the Senate amendment authorized the Director to provide financial assistance for projects designed to serve groups of low-income individuals who are not being effectively served by other programs under this title. The Senate amendment authorized $50 million for fiscal year 1972 and the two succeeding fiscal years. The House bill authorized $50 million for fiscal year 1972 and such sums as may be necessary for each succeeding fiscal year, creating in effect a permanent authorization. The conference agreement contains the substance of the amendment but eliminates the specific dollar authorizations.

The House bill provided for the equitable distribution of financial assistance under the Act to all significant segments of the low-income population within a State and within a community. The Senate amendment required such equitable distribution only within a community. The Senate recedes.

The conferees urge the Director to exercise authority under this section to the extent appropriate to accomplish its purposes, utilizing funds available under the authorization for programs conducted under title II of the Act.

The House bill prohibited the use of funds appropriated for Teacher Corps or ACTION from being used to finance any activity designed to influence the outcome of any election, or for voter registration, or to pay the salary of any officer or employee of OEO, Teacher Corps or ACTION who in an official capacity engages in such activity. As used in this amendment, "election" and "Federal office" are defined as in the Federal Election Campaign Act of 1971. There was no comparable Senate provision. The Senate recedes.

The House bill required that any standards for day care programs be no less comprehensive than the interagency day care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968. There was no comparable Senate provision. The Senate recedes.

The Senate amendment amended section 616 of the Economic Opportunity Act to increase the portion of an allocation that may be transferred from one program or activity to another from 15% to 25%. The amendment also deleted the limitation which placed a ceiling on the amount that may be transferred into a program. Existing law provided that such transfers could not result in increasing by more than 100% any program for which there was available $10 million or less or by increasing by 25% any program for which amounts available were in excess of $10 million. The House bill reduced the authority of the Director to transfer earmarked funds to 10% of the amount appropriated or allocated. The House bill further limited the degree to which the program or activity could be increased. The conference agreement increases the portion of an allocation that may be transferred from one program to another to 20 per centum.

The House bill prohibited any funds appropriated for programs administered by the Office of Economic Opportunity or ACTION from being used to finance any activity in which students in higher education perform voluntary or community service where, as a condition for eligibility for funds, an institution is required to award credit to students for training or experience derived from such voluntary or community service. There was no comparable Senate provision. The House recedes.

The Senate amendment prohibited the Director from providing financial assistance to anyone under this Act unless the grant, contract or agreement under which funds are to be provided specifically provides that no person with responsibilities in the operation of such program will discriminate because of race, creed, color, national origin, sex, political affiliation or beliefs. There was no comparable House provision. The House recedes.

The Senate amendment prohibited sex discrimination, to be enforced in accordance with Civil Rights Act procedures. There was no comparable House provision. The House recedes.

The House bill required the national poverty action plan to be presented by December 31, 1971. The Senate amendment required submission by August 1, 1972. The House bill required subsequent plans no later than December 31st of succeeding years. The Senate amendment required subsequent reports on January 31st of each year. The dates provided in both the House and Senate bill presented a situation where it would have been impossible for the agency to comply. Therefore, the conferees dropped the specific date that the national poverty action plan was to be presented to the Congress. It is the intention of the conferees, however, that at the earliest possible date the Office of Economic Opportunity submit such a plan.

Both the House bill and the Senate amendment consolidated all evaluation activities into a single title. They differed in the following respects:

(a) The Senate amendment specified that such evaluations may be made of programs under the Office of Economic Opportunity Act, or related Acts. There was no comparable House provision. The House recedes.

(b) The Senate amendment qualified the directives to develop evaluation standards with the words "to the extent feasible". There was no comparable House provision. The House recedes.

(c) The House bill required the results of evaluation to be considered in renewing financial assistance. There was no compa-

rable Senate provision. The Senate recedes.

(d) The Senate amendment required the Director to exchange data "on a cooperative basis with such agency." There was no comparable House provision. The House recedes.

(e) Under the House bill the Director would "consult where appropriate with States to sponsor jointly funded evaluations" while the Senate amendment read "may consult when appropriate." The Senate recedes.

(f) The House bill required the publication of evaluations where the Senate amendment only required the publication of summaries of such evaluations. The conference agreement requires that summaries prepared by the evaluator be published. The conferees want to make clear that the publication of such summaries in no way relieves the Director from existing obligations to make evaluation reports in their entirety available to the Congress.

(g) The Senate bill authorized the head of any agency administering a program authorized by the Act to conduct evaluations or take other actions authorized under this title but specified that nothing in this section would preclude the Director from conducting such evaluations or taking such actions as otherwise authorized under the Act. There was no comparable House provision. The House recedes.

Both the House bill and Senate amendment established a new title of the Economic Opportunity Act to create a National Legal Services Corporation.

The Conferees regret that it was necessary to delete Title IX, which would have established a National Legal Services Corporation, as a result of the failure to reach agreement with respect to the composition of the Board of Directors and certain other elements of the Corporation.

The Conferees continue to strongly support the existing legal services program and the concept of a legal services corporation and intend to continue to seek appropriate means of expanding the program and insuring its independence, to provide the poor greater access to our system of justice under law.

The Senate amendment established a new program in title II, Design and Planning Assistance Programs, providing for the Director to fund to community-based design and planning organizations to provide technical assistance and professional services to community organizations and to continue existing section 232 programs of a comparable nature. There was no comparable House provision. The House recedes.

The Senate amendment established a new program in title II, Consumer Action and Cooperative Programs, providing for the Director to fund programs in consumer advocacy and protection and to continue existing section 232 programs of a similar nature. There was no comparable House provision. The House recedes.

The Senate amendment established a new program in title II, Urban Housing Demonstration Projects, to authorize the Director to provide financial assistance for demonstration projects in urban areas, and authorized $20.0 million for each of three fiscal years. There was no comparable House provision. The Senate recedes.

While the conferees did not adopt the new specific authority for Urban Housing Demonstration Projects contained in the Senate amendment, they expect the Director of the Office of Economic Opportunity to increase funding of projects to assist low-income families living in neighborhoods characterized by abandonment and deteriorating residential housing to maintain and upgrade existing substandard residential housing in such neighborhoods. The projects are to be carried out by appropriate community based organizations including tenant associations. It is anticipated that such projects may include financial assistance in the form of grants and loans for administrative expenses and to defray costs of repair and moderate rehabilitation, for tenant organization and counselling, management and maintenance services, and for encouragement of home ownership by low-income families. It is anticipated that such projects will be funded from general sources available under the Act, including general demonstration authority and authority under Title VII. Community Economic Development, to the extent consistent with that title; however, no such projects are to be funded from sums made available under the new Rural Housing and Rehabilitation programs.

The Senate amendment prohibited the Director from delegating his functions under section 221 and title VII of such Act, notwithstanding the provisions authorizing delegation of programs of section 602 of the Economic Opportunity Act. There was no comparable House provision. The House recedes.

The Senate amendment combined the existing title I–D Special Impact Program and title III–A Rural Loan Program into a new unified Community Economic Development Program (title VII). This new title provided expanded authorization for grants as well as loans to rural cooperatives. There was no comparable House provision. The House recedes.

The rules of the House forbid managers on the part of the House from accepting Senate amendments that provide for appropriations within authorization bills. It was felt that the transfer of funds from one agency to another and the requirement that interest payments on loans from a revolving fund be returned to the fund rather than to the Treasury would violate the rule against including appropriations provisions in authorizing legislation.

It was therefore necessary for the conferees reluctantly to delete those provisions of title VII that detailed the operation of the newly authorized Community Development and Rural Development revolving funds, to delete those provisions that would have transferred the assets of the existing title III–A loan fund from the Department of Agriculture back to the Office of Economic Opportunity for consolidation with the new Rural Development revolving fund, and to delete those provisions in title VII that would have repealed title III–A. As approved by the conferees, title VII authority for a Rural Development Loan revolving fund will exist in addition to the authority in title III–A for the present Rural Loan revolving fund. It is the intent of the conferees, to the extent not prohibited by law, that the revolving funds authorized by title VII operate as is common with such funds, i.e., that repayments of principal shall be returned to the fund to be available for new loans and that the budget provide for the appropriation of the amount of the interest paid on such loans to the fund, to be used to offset the cost of operating such funds. Further, it is the intent of the conferees that the Office of Economic Opportunity seek to operate the Rural Loan fund provisions of title VII and those under title III–A in close conjunction pending legislation to transfer the title III–A loan fund to this title. In deleting the language in title VII that detailed the operation of the new revolving funds it was necessary to delete the provision authorizing the use of interest payments to the funds to defray administrative expenses. However the conferees wish to make it clear that it is their understanding that the statutory authority of the Director to make payments out of the existing title III–A revolving fund for "loans, participation, and guarantees" encompasses the same authority as is provided in other federally supported revolving funds to defray such costs as are necessarily incurred in the administration of loans from such revolving funds.

The Senate amendment amended title VIII of the Act by making clear authority for VISTA volunteers to work on environmental problems focused primarily on the needs of low income persons and the communities in which they reside. There was no comparable House provision. The House recedes.

The Senate amendment added a new section to title VI requiring frequent review and revision of the poverty levels based on the changes in the consumer price index. There was no comparable House provision. The House recedes.

The Senate amendment authorized persons who are otherwise eligible and live in public and private institutions to participate in Neighborhood Youth Corps programs. There was no comparable House provision. The House recedes.

The Senate amendment amended section 211 by requiring the Director to insure no local community action agency election be held on a Sabbath Day. There was no comparable House provision. The House recedes.

The Senate amendment amended the Federal Property and Administrative Service Act of 1949 by requiring the GSA to continue its policy of making excess property available to a grantee of any agency under a program established by law for which funds had been appropriated. There was no comparable House provision. The Senate recedes because the rules of the House prohibit House conferees from agreeing to a nongermane Senate amendment.

CARL D. PERKINS,
ROMAN C. PUCINSKI,
AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
PATSY T. MINK,
ALBERT H. QUIE,
JOHN N. ERLENBORN,
WILLIAM A. STEIGER,
Managers on the Part of the House.

GAYLORD NELSON,
HAROLD E. HUGHES,
ADALI STEVENSON III,
JENNINGS RANDOLPH,
BOB TAFT,
J. JAVITS,
RICHARD S. SCHWEIKER,
PETER H. DOMINICK,
J. GLENN BEALL, JR.,
Managers on the Part of the Senate.

SUBSIDIZED STUDENT LOAN PROGRAM

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, Congress has now given final approval to a resolution delaying the effective date of amendments made 2 months ago to the subsidized student loan program, and I know that all of us are pleased that the confusion that has surrounded this program for the past few weeks will now be removed in time for the begining of the academic year next month.

I cannot say, Mr. Speaker, that I was entirely satisfied with the specific provisions of the resolution this body approved to effect such a delay, but now that it is behind us, I am pleased that the Senate saw fit to concur in the House amendment and send the measure on to the President.

Banks and other private lenders will now be able to go ahead and process

subsidized loan applications, and the thousands of families all over the country who depend on this program to help send their children to college will be relieved of anxiety.

In order that Members of the House may have some more background information as to the nature of the problem we discussed early this morning, Mr. Speaker, I would like at this time to make some additional comments on the subject, and also to take this opportunity to say a few personal words concerning one of my colleagues in the other body, the junior Senator from Rhode Island, who played such a large part in the recent revisions made to the Higher Education Act.

The federally guaranteed student loan program, including federally subsidized loans, was one of several important student assistance programs extended and revised by the Education Amendments of 1972.

Over 20,000 financial institutions in the United States participate in this program, under which the principal and interest of loans made to students by banks and other lenders is insured by the Federal Government against default. If a student qualifies, he or she may also receive a partial interest subsidy from the Government. Under previously existing law—which has now been temporarily put back into effect by the resolution we approved—students with adjusted family incomes under $15,000 are automatically eligible to receive these interest benefits.

During the year ending last June 30, over 1 million students, most of whom were eligible for interest benefits, at more than 8,000 colleges and universities borrowed money under the guaranteed student loan program.

Thus this program has far broader coverage than the other Federal student programs, and forms the back-up support for all other student assistance programs—Federal, State, and institutional—that make it possible for each student to come up with a package of support sufficient to meet his or her needs.

As you know, Mr. Speaker, the conference that produced the Educational Amendments of 1972 was one of the longest and most difficult negotiations between the two Houses of Congress in recent years. We met 20 times over a period of 11 weeks to bring back a bill that could command bipartisan support in both the House and Senate.

I am proud to say, Mr. Speaker, that the conference committee did succeed in bringing back a bill that won the approval of both the House and Senate, and that was subsequently signed into law. Many Members from both the House and Senate deserve credit for this accomplishment, but I would like today to say a few special words about my conference counterpart from the other body—the junior Senator from Rhode Island—who was in so many ways a principal architect of the bill that was finally reported.

During his first two terms, Senator PELL has proved himself a vigorous and effective champion of education, one who gained the deep respect of his colleagues in both the House and the Senate. As chairman of the Senate Subcommittee on Education for the past 4 years, he has demonstrated his concern for the needs of all of America's students, rich and poor, urban and rural, and he has worked quietly but courageously to see that their needs are met.

For 11 weeks, during conference sessions which often lasted long into the night, Senator PELL was both diplomat and advocate, impeccably courteous, yet never yielding on his principles. Never contentious but always persuasive, Senator PELL's contribution to this landmark legislation was enormous and, indeed, indispensable.

Mr. Speaker, the bill produced by that conference represents the most comprehensive aid to education measure passed by the Congress in this century. Senator PELL was the author of one of the most significant programs in the bill, a new system of basic educational opportunity grants.

Beginning next year, every American student will be entitled to what should now be known as a "Pell grant," a grant of $1,400 each year to help pay for the costs of a college education, less the amount his or her parents can reasonably be expected to contribute.

With the enactment of the Pell grant program, Congress took a historic step. We committed ourselves to the principle that no student who wants to go to college will be denied that opportunity merely because of financial need.

Mr. Speaker, America's students have Senator PELL to thank for this commitment. In the years to come, I am sure that CLAIBORNE PELL will both continue and enhance this record of courageous leadership by his achievements in the Senate.

I look forward to working with him in future Congresses in the service of American education.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The SPEAKER laid before the House the following resignation from the American Revolution Bicentennial Commission:

WASHINGTON, D.C., *August 18, 1972.*

HON. CARL ALBERT,
Speaker, House of Representatives, Washington, D.C.

MY DEAR MR. SPEAKER: I do hereby submit my resignation as a House of Representatives designee to the American Revolution Bicentennial Commission.

Respectfully yours,
HAROLD D. DONOHUE.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT AS MEMBER OF AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 2(b), Public Law 89–491, as amended, the Chair appoints as a member of the American Revolution Bicentennial Commission the gentleman from Massachusetts (Mr. BURKE) to fill the existing vacancy thereon.

AIR PASSENGER FEES—STATE AND LOCAL CHARGES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the bill (H.R. 14847) to amend the Airport and Airway Development Act of 1970 to increase from 50 to 75 percent the U.S. share of allowable project costs payable under such act; to amend the Federal Aviation Act of 1958 to prohibit State taxation of the carriage of persons in air transportation; and for other purposes, be considered in the House as in the Committee of the Whole House on the State of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 14847

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be ited as the "Air Passenger Safety and Convenience Act".

SEC. 2. (a) Section 17 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1717), relating to United States share of project costs, is amended—

(1) by striking out "50 per centum" in subsection (a) of such section and inserting in lieu thereof "75 per centum"; and

(2) by striking out subsection (c) of such section and inserting in lieu thereof the following:

"(c) SECURITY EQUIPMENT AND FACILITIES.—The United States share payable on account of security facilities and equipment for designated airports shall be 100 per centum of the costs of such facilities and equipment.".

(b) The amendments made by subsection (a) of this section shall apply only with respect to the United States share of project costs payable under grant agreements entered into after the date of its enactment.

SEC. 3. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

"STATE TAXATION

"SEC. 1113. No State (or any political subdivision thereof) shall levy or collect a tax, fee, or other charge, directly or indirectly, on persons traveling in air transportation or the carriage of persons in air transportation by any aircraft—

"(1) operated by an air carrier certificated by an agency of the United States to perform air transportation,

"(2) operated by any person subject to regulation by an agency of the United States in the performance of air transportation, or

"(3) operating to or from any airport financed, in whole or in part, from Federal funds.".

(b) That portion of the table of contents contained in the first section of such Act which appears under the center heading "TITLE XI MISCELLANEOUS" is amended by adding at the end thereof the following: "Sec. 1113. State taxation."

With the following committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert in lieu thereof the following: That, during the eighteen-month period beginning on the date of enactment of this Act, no State (or any political subdivision thereof) shall levy or collect any tax, fee, or other charge, directly or indirectly, on persons traveling in interstate, overseas, or foreign air transportation or on the carriage of persons in interstate, overseas, or foreign air transportation.

SEC. 2. (a) The Civil Aeronautics Board shall conduct a full and complete investigation of taxes, fees, and other charges levied and collected by States and their political subdivisions, directly or indirectly, on persons traveling in interstate, overseas, or foreign air transportation or on the carriage of persons in interstate, overseas, or foreign air transportation in order to determine the effect of such taxes, fees, or other charges on air transportation in the United States. Not later than twelve months after the date of enactment of this Act, the Board shall report to the President and to the Congress the results of such investigation, together with such recommendations as it may deem appropriate.

(b) The Civil Aeronautics Board may secure directly from any department or agency of the United States information necessary to enable it to carry out this section. Upon request of the Board, the head of such department or agency shall furnish the information so requested.

(c) In the conduct of the investigation required by this section, the Civil Aeronautics Board may hold hearings, issue subpenas, administer oaths, examine witnesses, and receive evidence in the same manner as provided by section 1004 of the Federal Aviation Act of 1958 (49 U.S.C. 1484).

SEC. 3. As used in this Act—

(1) the term "State" means a State of the United States, the Commonwealth of Puerto Rico, the District of Columbia, the Virgin Islands, and Guam; and

(2) the terms "interstate air transportation," "overseas air transportation," and "foreign air transportation" shall have the same meaning given such terms by section 101(21) of the Federal Aviation Act of 1958 (49 U.S.C. 1301 (21)).

SEC. 4. There are authorized to be appropriated such sums, not to exceed $100,000, as may be necessary to enable the Civil Aeronautics Board to carry out the provisions of section 2 of this Act.

SEC. 5. The first sentence of section 12(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(a)) is amended by striking out "two years" and inserting in lieu thereof "three years."

Mr. STAGGERS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the purpose of H.R. 14847 is to authorize the Civil Aeronautics Board to conduct a 1-year investigation as to the ramifications of air passenger fees exacted by State and local agencies. The CAB will determine the financial needs at the airports throughout the country and make recommendations to the President and to the Congress as to the manner in which such needs should be met. To allow time for the CAB investigation, report, and recommendations and time for congressional review of the Board's action, the bill provides for an 18-month moratorium barring States and subdivisions of States from levying or collecting any per capita charges on air travelers.

The need for this legislation was brought to the fore by recent Supreme Court cases concerning air passenger charges enacted in New Hampshire and in Indiana. The cases were decided on April 19 of this year. There are now some 17 jurisdictions which have enacted per capita or enplaning charges on air passengers. They are listed on page 4 of the committee report. All except the Indiana and New Hampshire charges have been enacted since the Supreme Court decisions in April. The Committee on Interstate and Foreign Commerce feels very strongly that the moratorium is warranted so that these new charges can be evaluated both as to the merit of such charges and as to the need for insuring uniformity in fundraising for the support of airport construction, maintenance, and development.

In addition to the actions which the committee took with respect to air passenger fees, the committee amended section 12(a) of the Airport and Airway Development Act to allow the Secretary of Transportation 3 years rather than 2 years in which to complete a national airport system plan.

I urge the passage of this bill by the House.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. I thank the distinguished chaiman of the Committee on Interstate and Foreign Commerce for yielding.

For the purpose of establishing legislative history, and for clarifying the language which is used on page 3, beginning with line 13, I wish to ask the gentleman whether the word in line 16 "indirectly" is intended to cover user fees imposed on the basis of tonnage, as some airports do, as in the case of Hawaii.

Mr. STAGGERS. I would answer the gentleman in the negative, positively it does not affect that.

Mr. MATSUNAGA. Even though the tonnage may be based on the weight which may be increased by the number of passengers onboard?

Mr. STAGGERS. Not in any way. It was not intended to do this, and it specifically goes to "head tax" charges.

Mr. MATSUNAGA. I thank the gentleman from West Virginia for making it clear, because I am fearful that the word is rather broad and may be misinterpreted by those who are charged with enforcement of the act.

Mr. STAGGERS. Mr. Speaker, if the gentleman will look on page 4 of the report, beginning with the last paragraph, I think the gentleman will find an explanation there.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, Des Moines has contemplated imposing an airport tax by October 1. I do not think it is unreasonable to do that, but I think it unreasonable to have taxes on both enplaning passengers and deplaning passengers.

My question is this. They need money for facilities. Under the Senate version would some of this increased money that will be coming up go back to the local airports and be available for facilities?

Mr. STAGGERS. All I can tell the gentleman is in the Senate bill, and I do not know what will happen when we go to conference, part of the money will be allowed for facilities.

Mr. SMITH of Iowa. As I understand it, due to the fact that the gentleman did not have proper reports and so forth, his committee did not actually take it up and turn it down. They simply did not pass on that.

Mr. STAGGERS. We had in the original bill to pay 75 percent instead of 50, but we determined to establish an 18-month moratorium without making any changes in the Federal funding at this time.

Mr. MURPHY of New York. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from New York.

Mr. MURPHY of New York. Mr. Speaker, as we consider H.R. 14847, a bill which would enact a moratorium and suspension of State and local charges on air passenger fees, or, as it is more commonly known, the passenger head tax, I want the Members to know that this is a matter which the House Committee on Interstate and Foreign Commerce has studied, and we have recognized the need for a more in-depth investigation of the complex problems involved.

This is particularly true because we must fully evaluate the potential impact of head taxes on the vital Airport and Airways Act, and on the municipalities involved.

I have therefore supported H.R. 14847 in the Commerce Committee and here today, and I am gratified that a majority has joined in enacting this suspension of head taxes while our committee study goes forth. I am confident this will prove to have been a wise decision for the House, and I congratulate my colleagues for their vote.

I enclose for the RECORD a letter from the Port of New York Authority which clearly states the issue as seen by the airport authority in the largest metropolitan area in the United States in order to help place the issue in perspective:

JULY 24, 1972.

Hon. JOHN M. MURPHY,
House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN: Former Commissioner Ammidon has asked me to reply to your letter of July 10, 1972, concerning proposed head tax legislation (H.R. 2337).

Our major objection to that bill is that it would prevent public airport operators from collecting revenues from landing fees, rentals and per passenger charges for the use of specific facilities even though such charges are just, reasonable and non-discriminatory and not a burden upon interstate and foreign commerce.

At this time, the Port Authority is not planning to impose an airport head tax. However, even with significant Federal aid available for certain airport projects, we are aware that some of our nation's airports will have difficulty in raising the local share of financing for badly needed improvements if they are limited to existing sources of funds. Unless facilities at these airports are improved, the growth of air service between the Northern New Jersey-New York metropolitan region and many other areas could be limited. Although we also recognize that the irresponsible employment of boarding fees could have a chilling effect on air commerce at a time when the airlines are beginning to recover from last year's recession, we are confident that the courts will be quick to strike down any boarding fee which imposes an undue burden on interstate and foreign commerce. The Port Authority, therefore, believes that the public interest will best be served by leaving the resolution of the head tax matter to the courts. We also believe

there is sentiment for legislation by Congress which would impose a moratorium on head taxes to allow further study. A properly drafted bill to this effect would be a more meaningful course to pursue than H.R. 2337.

As to the information you received from Congressman Fletcher Thompson, I assume that he had reference to the conference conducted last year by the American Assembly on Transportation in America at Arden House, Harriman, New York. Our copy of the speech which Mr. Tobin made at that meeting on mass transportation problems in the New York-New Jersey metropolitan area does not contain the statement attributed to him by Congressman Thompson. In that speech, however, Mr. Tobin referred to the fact that revenues from other Port Authority facilities (tunnels and bridges, marine terminals and inland terminals, as well as airports) help support the deficits incurred in the operation of the Port Authority Trans-Hudson Railroad (PATH), a commuter railroad linking Newark, Jersey City and Hoboken, New Jersey, with downtown and midtown Manhattan.

The Port Authority was able to acquire, operate and improve that bankrupt commuter railroad at the direction of the States of New York and New Jersey because the two States have authorized the pooling of revenues from all Port Authority facilities. I must emphasize that it was only by virtue of the ability to use revenues derived from other Port Authority facilities that the Port Authority in 1947–8 was enabled to take over the then deficit-ridden New York City and Newark Airports and subsequently to invest in excess of a billion dollars of its own funds in the physical development of airline and other facilities at these airports.

PATH, like all Port Authority terminal, transportation and other facilities of commerce, plays a vital role in the preservation of the economic well-being of our Newark, New Jersey metropolitan area. Indeed, PATH may prove to be of special benefit to air passengers in the years ahead since the Port Authority is presently evaluating the feasibility of a plan to provide direct rail access to Newark Airport utilizing PATH equipment.

Moreover, in our opinion, the fees paid by the air carriers for the use of Port Authority airports, which are the result of intensive bargaining between the Port Authority and the airlines, are just and reasonable.

Thank you for your interest in this matter.

Sincerely,

MATTHIAS E. LUKENS,
Acting Executive Director.

Mr. STAGGERS. Mr. Speaker, I commend the chairman of the subcommittee and the members of the subcommittee for bringing this very serious situation to the attention of the Congress so we could take some action on it at this time.

Mr. JARMAN. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Oklahoma.

Mr. JARMAN. Mr. Speaker, the hearings of our Subcommittee on Transportation and Aeronautics revolved around the question of State and local taxation and the Federal share of funds to be used for airport construction, maintenance, and improvements. Interest in the hearings was augmented by recent U.S. Supreme Court cases upholding the constitutionality of enplaning charges on passengers using scheduled aircraft. Witnesses representing virtually all segments of air transportation appeared.

Our subcommittee decided to report H.R. 14847 with an amendment to limit the bill to an 18-month moratorium barring the levying or collecting of State or local charges on passengers in air transportation and the vote of the subcommittee was unanimous.

Mr. Speaker, the purpose of this legislation is to authorize the Civil Aeronautics Board to conduct a 1-year study to determine the financial needs at airports which are funded in whole or in part at a State or local level. The Civil Aeronautics Board is to report to the President and to the Congress the results of its investigation with appropriate recommendations as to how the financial needs at airports may best be met. In order to allow time for the Civil Aeronautics Board's investigation and report and for congressional review of the Board's action, the legislation provides for an 18-month moratorium barring States, or subdivisions thereof, from levying or collecting any charges on persons traveling in air transportation.

Mr. Speaker, the Committee on Interstate and Foreign Commerce believes that this moratorium is warranted so that these new charges can be evaluated both as to the merit of such charges and as to the need for insuring uniformity in fundraising for the support of airport construction, maintenance, and development. I urge the passage of H.R. 14847.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, is this to be considered as the Senate version on this subject or the House version?

Mr. STAGGERS. The House version.

Mr. GROSS. Certainly it is not the same as the original House bill.

Mr. STAGGERS. No. We explain it in the latter part of the bill that changes are made, setting forth and amending the title so as to read: A bill to provide for a moratorium on State taxation of the carriage of persons in air transportation, and for other purposes.

Mr. GROSS. Mr. Speaker, I will say to the gentleman I have asked the question because I have had communications from airports in Iowa in my district, and they supported the Senate version and they are very much opposed to the House version or the House treatment on this subject. I am unable on this short notice to determine whether this is the Senate version or the House version.

Mr. STAGGERS. I would say to the gentleman we have to have a conference on it. In the original bill we did have 75 percent instead of 50 percent, but we did not include that as a part of the temporary moratorium.

Mr. BROYHILL of North Carolina. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the situation is that a number of cities and towns around the country have been imposing these head taxes on passengers and it is growing by leaps and bounds. I am sure Members have been hearing from their airport authorities and the managers around the country.

What the committee is concerned about are two things.

First. It is going to result if it continues in a real hodgepodge. We do not know what the administrative burden would be of trying to collect on these taxes. They are certainly not uniform.

Second. Another thing we are concerned about is that the purpose, they say, of collecting these head taxes is so they can build capital improvements at their local airports, but we have evidence to show that these funds may not necessarily be spent for this purpose. They may be used to defray some of their present ongoing administrative costs. So the committee felt a moratorium was necessary at this time in order to give us a chance to come up with a sound long-range program.

No one denies the fact that the local communities which operate these airports certainly need funds to build the needed capital improvements and facilities.

If we are going to do this, I believe we should have a sound, long-range plan which is workable and which does not impose an undue administrative burden.

For this reason the committee has recommended to the House a moratorium and a study. This is not a complete prohibition. All it does is to put a moratorium on for 18 months for the collection and levying of these so-called head taxes. Hopefully by then we can come up with sound recommendations.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of North Carolina. I am delighted to yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of the position the committee has taken because I am convinced that the moratorium, as suggested, is the only way in which we will be able to come up with the kind of recommendation that will lead to an ultimate end of the problem and an integrated airport system coordinated among the States and with the local governments that will be systematic, rather than growing like Topsy, piecemeal, as it has in the past.

I believe there will be some recommendations for some of the facilities that will be desired. If we do not do this in a systematic way we will have problems, not only financially but also with respect to congestion and safety as well.

I commend the committee for its action.

Mr. STAGGERS. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. ROONEY).

Mr. ROONEY of Pennsylvania. Mr. Speaker, the legislation before us today provides for an 18-month moratorium on the levying of airport head taxes on airline passengers. I strongly object to the moratorium and, as a frequent air traveler and one vitally interested in the continued improvement of our Nation's airports, am greatly disappointed with the committee's recommendation that it be enacted.

The most important effect of the legislation is the continuing burden it places on the individual taxpayer. The financial support of airport operations should be provided by the traveler who benefits from improved facilities and services for air travel, and not by the general public,

part of whose tax dollar is already applied to airport costs.

In my own district, Lehigh and Northampton counties annually contribute $175,000 apiece to operate Allentown-Bethlehem-Easton airport. In addition, a $9 million airport expansion program—which will cost each county approximately $375,000 a year for 30 years—and an airfield expansion program requiring $1 million of local funds over the next 5 years, are both under serious consideration. The tax burden on nonusers of the airport would be greatly alleviated by the imposition of a reasonable head tax on those who use and benefit from the facilities.

The legislation also authorizes the Civil Aeronautics Board to conduct a 1-year study to determine, identify and measure the financial needs of airports. I agree that such an investigation is most important at this time—the percentage of Federal funds to be made available to the airports, extension of Federal aid to construction costs of terminals and land acquisition for new airports, Federal funding of antihijacking and safety equipment required by Federal regulation and provision for long-term operating subsidies for carrying out these programs—all of these questions call for serious investigation. Before establishment of the aviation trust fund in 1970 all Federal moneys for the airports had to be appropriated from general funds. But although the revenue raised by the 8-percent excise tax on domestic tickets, air freight, fuel, and aircraft taxes and the tax on passengers destined for foreign countries has created a substantial backstop for Federal funding, the States and communities are finding it increasingly difficult to raise the 50 percent they are required to provide to match Federal grants.

The Supreme Court decision validating the head tax provided the airport operator with a reasonable and adequate means of collecting additional funds from the users of air transportation to meet the requirements not covered or funded through the airport development aid program. I strongly feel we must support this decision.

Mr. KYL. Mr. Speaker, in the absence of a record vote on final passage, I want to note that I oppose this bill in its present form.

Though there is unquestionably an advantage for all people in a community which operates an airport, those people who actually use the facilities should pay for the service they receive.

Mr. BROWN of Michigan. Mr. Speaker, I think it is regrettable that this legislation, H.R. 14847, was considered while the Members were in a headlong rush to recess, many having already left the Hill and the city. I had several questions to ask, the answers to most of which I knew but which I think should have been made part of this bill's legislative history.

Let me cite just a few:

Does the bill require a return of fees collected to date? Of course, the answer is no; but is that fair to those who have paid the fees and by what authorization can such funds be used for other purposes?

Am I correct that the bill does not alter the present 50–50 Federal-State and local cost sharing, even though it was the carrot of improved and increased Federal funding which prompted the consideration and passage of this legislation? Again, the answer is no.

In other words, Mr. Speaker, every airport badly in need of capital improvements, but which cannot produce the funds necessary to make up the 50 percent local share, will be required to wait 18 months before it can expect any help on the funding of local improvements, and even then such help is not promised nor do we even have any assurance that such a recommendation, if made, will be acted upon promptly by the Congress.

I have mixed emotions regarding this legislation.

I can understand the concern of many which provided the impetus for the consideration of this bill; namely, if we fail to legislate a prohibition against these so-called head taxes they will proliferate indiscriminately and profusely all over the country and administrative and tax chaos will result.

At the same time, I think the cost of the airport construction and improvement, like the cost of highway construction and improvement, should be primarily borne by those who use these facilities, to wit, air carriers, passengers, and air cargo shippers and users. Not only has the practice of requiring general taxpayers and property taxpayers to bear this cost become unpopular, it has become unproductive of revenues, the voters having rejected such proposals all over this land.

To illustrate the myriad problems that presently confront airport authorities, I would like, at this point, to quote in full a letter I received last week from Mr. James Caplinger, city manager of Kalamazoo, Mich., one of the cities in my district:

AUGUST 16, 1972.

HON. GARRY BROWN,
House of Representatives,
Washington, D.C.

DEAR MR. BROWN: The City Commission of the City of Kalamazoo, by a unanimous decision, has asked that my office communicate with you to define our problems and our feelings as to the importance of allowing us to maintain a user's fee at our airport. Both the City Commission and the City administration of the City of Kalamazoo wish to go on record as being strongly opposed to current legislation which would call for a moratorium on, or abolition of, the use of user's fees. We do, however, feel that "head taxes" which are not specifically allocated to the development, maintenance, and operations of airports are improper and should not be allowed. Therefore, we could support legislation which would abolish an indiscriminate head tax but yet permit reasonably based user's fees which will support actual airport operations and development. While this letter is somewhat lengthy, it relays a number of very basic concerns and problems we are faced with. Therefore, I hope you will have the time to study it in some detail.

The City of Kalamazoo operates its own municipal airport, which has been recently designated to have interim regional status as a result of route consolidations in our area. We are about to embark on a $5,500,000+ airport development program. Obviously, we are going to need substantial additional revenues above and beyond our current revenue base, if we are to implement this capital improvement program and also to operate and maintain the new facilities created on an ongoing basis.

We anticipate that we will be able to pay a part of the cost of the capital improvements and operations through increased fees at our airport. Unfortunately, the City of Kalamazoo Municipal Airport, like many smaller airports, has only one regularly-scheduled commercial air carrier. This is the case, even though we serve a definite regional area concerning air transportation services. Therefore, we are in a rather difficult position with regard to how high we can effectively raise such things as landing fees and space rental rates.

In the past the City of Kalamazoo has substantially subsidized airport operations from local city tax revenues. However, with the recent trends of rising costs and the less rapid growth of revenues available, severe budgetary constraints have been imposed on many of our activities and programs. We feel that we are realistically facing the fact that we will no longer be able to substantially support airport costs from our local tax revenues. At the same time, air carriers feel they should not have to pay the actual cost of providing facilities for air transportation operations. They expect either city government, state government, or the federal government to pay a substantial portion of that price tag.

As an effort to provide improved and high-quality air transportation facilities for Kalamazoo and the southwestern Michigan area, our City Commission recently enacted by ordinance a user's fee at our Kalamazoo Municipal Airport. The revenues from this user's fee are designated solely for use in airport development and operations and, in fact, will be kept in a separate fund aside from the City general fund. We are making, and will continue to make, every effort to comply with both the technicalities and the spirit of the Supreme Court decisions recently handed down concerning usage of such fees. We recognize that there may be some possibilities that a few scattered communities may try to misuse this newly-found source of revenue, and we feel that whenever this happens, immediate and continued prosecution against those misuses should be undertaken. However, we do not feel that all communities having costly airport operations to support should be penalized for the potential misconduct of a very few airport operations.

We feel that the legislation currently pending before Congress has the effect of severely penalizing communities by removing from them a newly-found, much-needed, and long overdue source of revenues for their airport operations. Attempts to remove this source of revenue come at an especially bad time, when construction and operational costs are skyrocketing and at a time when new safety standards and security measures are being required for airport operations.

I wish to make it clear that we are not at all adverse to implementing, in good spirit, programs which will provide for necessary safety and security measures at our airport. But these items do have a significant ongoing cost. It is highly questionable if we will have adequate funds to carry out these programs if a user's fee is not allowed at our airport, due to the tightness of our budget, which was mentioned earlier.

We know that the airlines have a powerful lobby, which contributes substantially to election campaigns and political parties, and we realize the pressure this must bring to bear against many of our Senators and Congressmen. But we are hopeful that the same idealism and hard work, which is moving our country to the much-sought-after, popular, and needed goal of federal revenue sharing, will not be lost in a backward step, which would have the effect of removing from local governments the ability to fund their own operations at the local level.

It is my understanding that some of the legislation being considered, which would propose a moratorium on, or abolition of, head taxes and user fees, does include the possibility of substantially greater grants from the federal government. *However, increased percentages in grants mean nothing if, in fact, appropriations are not made which provide enough grant monies to meet the needs of virtually all of our airports. If the grant percentages are any less than 100%, it will still be virtually impossible for many smaller airports to come up with the local share needed to obtain the grants, if the user fee is disallowed.* (Emphasis added.) Also, by placing a higher emphasis on grant programs and grant percentages, we will be placed in a political situation where the larger airports, which are more capable of being self-supportive, will, indeed, have the better chance to obtain the grants, whereas the smaller airports, having less of a chance to support themselves, will have a lesser possibility of obtaining the grants. This is the paradox which often creeps into grant programs and which makes it difficult for smaller communities to compete, even though they have significant long-term needs.

We also would like to take this opportunity to reply to one of the major criticisms that airlines have levied against the user fee concept. That criticism goes something like this: If a user fee is allowed at airports, this will have the impact of increasing the cost of air travel, thus significantly reducing passenger enplanements and the utilization of air transportation services. I call on you and plead with you to recognize the fallibility of this argument. In fact, if the airlines were so concerned with this area, they undoubtedly would not ask for and receive continual rate increases for airline fares. It seems to me that there is some hypocrisy in this approach. When they need the money, fare increases are an absolute necessity! When local government needs the money to supply air facilities, then the increase in cost should not be passed on to the passengers, because it may deter them from using air services.

I not only hope that you as an individual will vote against the pending legislation or legislation that may come out of a Senate-House Conference Committee, which would abolish, or call for a moratorium on, user fees; but I hope very sincerely that you will accept a personal responsibility to convince at least one or two other Congressmen, who would otherwise support such a bill, to change their minds and to vote against it.

A vote *against* legislation of this type is a vote for making local government fiscally responsible for its actions and coping with its own needs and problems. A vote *for* legislation of the aforementioned nature is a vote to make local government more captive of airline interests than they already are and to place them in a position of growing dependence on federal monies simply to support their existence. I think you will agree with me that local government which loses the ability to have reasonable control over its destiny, with regard to its development and financial management, will in the long run cease to function as a reasonable entity in solving the problems our society is facing today and will face in the future.

Please oppose this legislation, which is being lobbied by the airline and other associated interests. Thank you very much for your consideration and assistance in this matter.

Sincerely,

JAMES L. CAPLINGER,
City Manager.

It, therefore, seems to me that the Congress could have acted much more responsibly. If we were going to decide to limit the availability of revenue resources to airport authorities, municipalities, and other units of government, we should have, in the same legislation, discharged our responsibility to these units of government by providing an alternate source of revenue; that is, increased Federal assistance.

For longer than I care to remember, I have advocated at least a 75–25 Federal-State ratio of funding for airport construction and improvement. It should have been incorporated in this bill regardless of the method used to finance such additional assistance at the Federal level. Irreparable damage will be done to good airport planning and air service while this airport financing "moratorium," if I may call it such, is in effect.

I, therefore, call upon those charged with the responsibility of this study and report to get to their task immediately and file their recommendations far in advance of the time limitation the bill provides.

The SPEAKER. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for a moratorium on State taxation of the carriage of persons in air transportation, and for other purposes.".

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, pursuant to the provisions of House Resolution 1095, I call up from the Speaker's table the bill S. 3755, to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of S. 3755 and to insert in lieu thereof the provisions of H.R. 14847, as passed.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for a moratorium on State taxation of the carriage of persons in air transportation, and for other purposes.".

A motion to reconsider was laid on the table.

A similar House bill (H.R. 14847) was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a concurrent resolution of the Senate of the following title:

S. Con. Res. 94. Concurrent resolution providing for an adjournment of the two Houses from August 18, 1972, to September 5, 1972.

CONFERENCE REPORT ON S. 3323, NATIONAL HEART, BLOOD VESSEL, LUNG, AND BLOOD ACT OF 1972

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 3323) to amend the Public Health Service Act to enlarge the authority of the National Heart and Lung Institute in order to advance the national attack against diseases of the heart and blood vessels, the lungs, and blood, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 16, 1972.)

The SPEAKER. The gentleman from West Virginia is recognized for 1 hour.

Mr. STAGGERS. Mr. Speaker, the conference report we are considering today is in most respects the same as the House-passed bill, except that we split the money figures with the Senate, added provisions relating to emergency medical services, and permitted the conduct of prevention programs at research, training, and demonstration centers authorized by the House bill.

As passed by the House, the bill would have authorized appropriations of $1.290 million over a 3-year period, and the Senate bill authorized $1.470 billion over the same period. The conference agreement splits the differences, authorizing $1.380 billion.

The House-passed bill authorized the construction and operation of up to 30 research, training, and demonstration centers. The Senate bill contained the same provision for 30 centers but also provided authority for construction of 10 cardiovascular disease prevention centers. There was considerable opposition to this feature of the Senate bill, and in the conference, the Senate receded from this feature, but we included as

functions of the research, training, and demonstration centers the activities intended to be covered in the 10 clinics contained in the Senate bill.

Mr. Speaker, this bill does the same thing in the area of heart disease as the Congress did last year with respect to cancer. Enactment of this bill, in our opinion, will strengthen the national attack on heart disease, which as we know is the Nation's No. 1 killer.

I know of no opposition to the conference report and urge its passage.

Mr. ROGERS. Mr. Speaker, I join Chairman STAGGERS in urging my colleagues to unanimously agree to the conference report on the National Heart, Blood Vessel, Lung, and Blood Act of 1972. This report will authorize an all-out Federal attack on major causes of death and disability in our country today:

On cardiovascular disease which is the Nation's leading health problem, afflicting more than 27 million and killing more than 1 million persons annually;

On chronic pulmonary disorders—such as asthma, bronchitis, and emphysema, which directly cause more than 30,000 deaths each year and contribute to at least 60,000 more;

On diseases of the lung which disable 20 million persons annually; and

On disorders of the blood such as sickle cell anemia and hemophilia, which produce lifelong disability for those afflicted and cause untold suffering and anxiety for victims and their families.

Mr. Speaker, this report is in most respects identical to the House-passed bill which was reported by the Subcommittee on Public Health and Environment. I am certain all my colleagues can support it, and I urge that they do so.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE PUBLIC HEALTH SERVICE ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15474) to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in Cooley's anemia, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 4, strike out "$25,000" and insert "$1,000,000".

Page 5, line 15, strike out "part," and insert "title,".

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ROGERS. Mr. Speaker, I rise to urge the House to concur in the amendment of the other body to the National Cooley's Anemia Control Act which passed the House almost unanimously on August 1. This legislation is designed to provide for increased research emphasis within the National Institutes of Health against this little understood disease which threatens to continue to increase across this country. The legislation also provides for the establishment of critical screening, treatment, and counseling and information programs to benefit persons unfortunate enough to have the disease or carry its trait. This measure will insure better therapy and badly needed increased efforts at prevention of Cooley's anemia. Hopefully, it will result in a cure for this painful, debilitating disorder. I urge its unanimous approval by the House.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CLAIMS OF YOKOHAMA SPECIE BANK DEPOSITORS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8215) to provide relief for certain prewar Japanese bank claimants.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill as follows:

H.R. 8215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law to the contrary, persons of Japanese ancestry interned or paroled pursuant to the Alien Enemy Act during World War II may assert debt claims based upon yen certificates of deposit issued by the pre-World War II Hawaiian or United States branches of the Yokohama Specie Bank, Limited, payable from the vested assets of the bank remaining in the custody of the Attorney General after final distribution is made under the April 30, 1968, judgments and decrees of the United States District Court for the District of Columbia in Honda against Clark, civil action numbered 1179–64. Legal representatives or successors in interest, by inheritance, devise, bequest, or operation of law, of debt claimants, other than persons who would themselves be disqualified from allowance of a debt claim, may apply for and receive payment to the same extent as their predecessors in interest would have. Claims under this Act shall be filed not later than one hundred and eighty days after the date of enactment of this Act with the Office of Alien Property of the Department of Justice.

SEC. 2. Claims payable under this Act shall be subject to section 20 of the Trading With the Enemy Act, and required to meet all conditions of allowability and defenses prescribed by section 34(a) of the Trading With the Enemy Act, except the provision concerning allowance of claims of persons interned or paroled pursuant to the Alien Enemy Act, and the defense that the underlying debt obligation has been released or exonerated on or after November 14, 1957, by its redemption or surrender for consideration.

SEC. 3. Claims shall be payable at the same yen-dollar conversion ratio afforded to claimants under the consent decree of the United States District Court for the District of Columbia of April 30, 1968, in Honda against Clark, civil action numbered 1179–64, to the extent funds are available therefor.

SEC. 4. Payments under this Act shall be made as expeditiously as possible. Without prejudice to the administrative authority of the Department of Justice to pass upon allowability of each claim for payment, the United States District Court for the District of Columbia is authorized to dispense with the requirement of section 34(f) of the Trading With the Enemy Act for the publication of a schedule of debt claims, and to waive or prescribe any other procedural requirement (including establishment of time limits on final proof of claim) as it may find appropriate or necessary for the fair and expeditious administration of this Act.

With the following committee amendment:

Page 3, beginning in line 2, strike out "Without prejudice to" and all that follows down through the period in line 11 and insert in lieu thereof the following: All determinations with respect to the form and content of claims under this Act, the proof thereof and all other matters related to proceedings on such claims, including the allowance and disallowance thereof and the proration of available Yokohama Specie Bank assets among allowed claims if insufficient for full payment, shall be within the sole discretion of the Attorney General or his designee and shall not be subject to review by any court."

The SPEAKER. Without objection, the amendment will be agreed to.

Mr. HALL. Mr. Speaker, reserving the right to object, I simply want to ask two points of information.

Of course, it is obvious that there had to be a preclearance for this deserving bill on the claims of the Yokohama Specie Bank depositors or it would not be up at this time and in this order in view of its date of filing. I favor this. I think it is only just and equitable that these long-held funds be returned to their rightful owners. But I would like to know if any of the funds actually to be redistributed were gained by their owners and/or depositors from trading with the enemy.

Mr. STAGGERS. No, when the war broke out the money was in the bank. It was impounded by the Government.

Mr. HALL. Mr. Speaker, I would say that that would not necessarily make it so.

Mr. STAGGERS. I know that is true.

Mr. HALL. Because it could have been deposited from ill-gotten gains, but, what I am really asking is will an investigation be made by the War Claims Settlement Fund, or whoever is going to distribute this, to determine that no ill-gotten or improper deposits made from trading with the enemy under that act will be redistributed?

Mr. STAGGERS. I would like to say this: that the money was earned by these people before December 7, and was deposited in branches of the Yokohama Specie Bank in the United States. Also I am sure that the Justice Department would have cleared up any such fact, and they would have made it clear that none of this money would have been gained illegally or by trading with the enemy.

As the gentleman knows many of their sons fought for our country in World War II. They are good people. Most of them received their American citizenships, when the law was changed in 1952.

I might further say that many of these people have died, and that there is a total

of about $4.5 million involved. The Justice Department is not opposed to this. Under those conditions I am sure that everything would have to be correct.

Mr. HALL. I appreciate the gentleman's statement, and it is very reassuring. I do know that the bill itself prohibits those who were returned to their native country during the war and after the war from being included in this bill.

I have one other question, and that is why the last nine words in the bill, which simply says, "shall not be subject to review by any court"?

Mr. STAGGERS. This allows these people to file applications. After they have been filed the Attorney General will make his decision. There will not be any court ruling to hold these moneys up for years in the courts. They have been held since 1941, that is long enough. As I say, there is about $4.5 million involved.

Mr. HALL. I understand that there will be some lost claims, and I hope that those funds could be distributed for the general good of the country.

I know that some of these people who are involved, their scions and heirs served so ably and well in the 441st and 442d Infantry units in Italy.

But the answer of the gentleman is that there will be no after review by the courts after these funds are returned. And, as I said before, we have held this money long enough, and I believe these funds should be returned.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman from Missouri.

Mr. Speaker, H.R. 8215, as reported by the Interstate and Foreign Commerce Committee, would permit Japanese-Americans who were interned or paroled during World War II under the Alien Enemy Act to file creditor claims with the Office of Alien Property of the Department of Justice for payment on yen certificates issued by branches of the Yokohama Specie Bank from vested assets of that bank in the custody of the Attorney General. Approximately 5,800 claimants have received payment from the vested assets of that bank, leaving approximately $4,500,000 in the custody of the Attorney General.

This bill permits the filing of claims by persons of Japanese ancestry who have been barred from recovering payments solely because of their internment or parole under the Alien Enemy Act.

The bill as reported includes an amendment recommended by the Justice Department which provides that all determinations under the bill shall be within the sole discretion of the Attorney General, and not subject to judicial review.

Enactment of the bill would not cost the Federal Government 1 cent. The Justice Department has no objection to its enactment. The bill was reported by unanimous voice votes from the Subcommittee on Commerce and Finance and the full Interstate and Foreign Commerce Committtee.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I am most happy and delighted to yield to the gentleman from Hawaii, the gentleman who introduced the legislation.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as the introducer of H.R. 8215, a bill that would provide relief to certain prewar claimants of the assets of the Yokohama Specie Bank, I rise in support of the measure. At the outset I wish to thank the distinguished chairman of the committee, Mr. STAGGERS of West Virginia, and the distinguished chairman of the subcommittee, Mr. Moss of California, for the most expeditious manner in which they brought this measure to the floor for House consideration. In behalf of the beneficiaries of the bill I express my deepest appreciation.

The bill which I introduced is directed toward erasing one of the last vestiges of what has been called "the blackest page in American history." I am referring, of course, to the evacuation of 110,000 Americans of Japanese ancestry and their parents, who were uprooted from their homes along the west coast and Hawaii, deprived of most of their property, and imprisoned in what the Federal Government chose to call "relocation camps" or "internment centers," but which were in fact concentration camps, complete with barbed wire fences and armed guards.

Before the attack on Pearl Harbor, Hawaii, on December 7, 1941, a great many immigrants to America from Japan held yen certificates of deposit with Japanese banks having branches in the United States. The Yokohama Specie Bank was one of these. At the outbreak of World War II, the assets of Yokohama Specie Bank and other enemy firms were confiscated, or vested, under the authority of the Trading With the Enemy Act, so that those properties would not be used to aid the enemy during the period of hostilities.

When Congress in 1946 enacted a comprehensive plan for allowing claims of legitimate creditors of the enemy alien firms and entities whose assets had been vested, payment was expressly barred to creditors who were interned or paroled as "enemy aliens."

And how did these people earn the designation "enemy alien"? For the overwhelming majority, it was disarmingly simple. In the first place, all Japanese immigrants were aliens, not because none cared to become a citizen of his new country, but because Federal law forbade it. It was not until 1953 that Japanese immigrants were permitted to become naturalized American citizens. Incidentally, once that bar was removed, thousands demonstrated their long-felt loyalty by becoming naturalized citizens of the United States. But, because Japanese immigrants were noncitizens, that was enough to classify them as "enemy" aliens, particularly along the west coast, and virtually every one of them was swept up in the internment and parole machinery. In the then Territory of Hawaii, the authorities were more discerning, since interning all those of Japanese ancestry would have tended to destroy Hawaii's economy. Nevertheless, nearly every Buddhist priest, nearly every teacher in a Japanese language school, and nearly every official in a Japanese fraternal organization was automatically classed as dangerous.

Once Congress permitted it, almost every one of the "enemy" aliens became naturalized American citizens. A great many had sent their sons to war for America, both in the Pacific and European theaters. In 1956, Congress refused to discriminate against internees when it passed the Evacuation Claims Act, which compensated Japanese Americans for certain property losses suffered during the period of wartime hysteria. Under that act, Congress expressly permitted recovery by those who had been interned and subsequently released.

But the bar created by section 34(a) of the Trading with the Enemy Act remained. When internees holding yen certificates of deposit attempted to recover their money, they were told that the statute did not permit payment. Other Yokohama Specie Bank depositors, following lengthy litigation over the conversion rate, were permitted to recover their money at the prewar conversion rate of about four yen to the dollar. After all pending claims have been litigated and allowed, the Attorney General estimates that the balance of the Yokohama Specie Bank vested assets in his custody will amount to about $4.5 million.

However, the rightful owners of this amount find themselves in a dilemma, for the one hand, vested assets of the Yokohama Specie Bank remain available, while, on the other hand, their legitimate claims against those assets have been barred by law from recovering their hard-earned savings. The purpose of H.R. 8215, Mr. Speaker, is to eliminate this obvious injustice by removing the statutory bar to those with just claims against the remaining vested assets of the Yokohama Specie Bank. The pending bill would require claimants to meet all of the other requirements of the Trading with the Enemy Act. All legitimate arguments against the claims could be raised; but having been interned or paroled during World War II on account of racial ancestry would not constitute a bar to recovery.

H.R. 8215, as reported, includes an amendment recommended by the Department of Justice, which otherwise finds the bill acceptable. The amendment would give the Attorney General final authority to decide the validity of claims filed under the bill, rather than involving the U.S. district court which has jurisdiction in the case of other Yokohama Specie Bank claimants.

No one knows how many depositors have been deprived of their life savings by our existing laws. The Justice Department estimates there may be as many as 2,000. An attorney who handled a great many of the original Yokohama Specie Bank claims estimates the number at about 800. Regardless of the number, each of these wronged individuals is entitled, in the name of simple justice, to present his legitimate claim.

To illustrate a typical case with which we are here concerned, permit me to read a few lines from a letter which I have received:

My parents have always been honest, hard-working people who believe in saving for future needs so that they would not need to depend on others. Thus, they made periodic deposits to the [YSB] bank during the pre-War years by living economically. Since my father was employed as a clerk at the Japanese consulate [in Hawaii] when World War II began, our family suffered humiliation and loss of freedom by being placed in concentration camps in Utah and California . . .

My parents are financially disadvantaged now due to my father's condition (he has been an invalid for about 11 years now). My mother devotes full time to his care. They are both very anxious to recover their money.

Mr. Speaker, because of the advanced ages of potential beneficiaries of H.R. 8215, each week and month that passes by without its enactment means that fewer and fewer of the original Yokohama Specie Bank depositors would be able to benefit personally from the righting of this inequity.

There is a great deal of truth in the maxim that "Justice delayed is justice denied." For these Americans of Japanese ancestry, justice has been delayed for more than a quarter of a century. Let us not deny them justice any longer and approve H.R. 8215 unanimously.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 8215, legislation to provide relief for Japanese-Americans whose bank funds were seized during World War II by the U.S. Government.

This legislation would help correct one of the major inequities arising from the wartime internment of these Americans.

Under this bill, those who were interned or paroled under the Alien Enemy Act may file claims with the Office of Alien Property, Department of Justice, for repayment of funds deposited by them in United States or Hawaiian branches of the Yokohama Specie Bank, Ltd., prior to December 7, 1941. The claims would be payable from assets of the bank, which were vested by the U.S. Government at the outbreak of World War II. In the long absence of this legislation, Japanese residents of our country are barred by section 34 of the Trading With the Enemy Act from presenting claims for their rightful deposits.

The amount involved is about $4.5 million presently being held by the Justice Department. The bill does not provide that the persons whose deposits were confiscated will receive any interest payments on the $4.5 million that was taken.

Thus, the bill is a small step, indeed, toward righting the tremendous wrong that was inflicted on those whose only crime was having ancestral heritage of Japan. Previous legislation has granted some relief for other types of loss, but the legislation today would permit at least some compensation for losses of moneys that would be far more substantial today had this capital accrued interest or investment gain.

Equity requires that these 1,000 to 2,000 depositors be allowed to have their claims considered. This legislation would permit just repayment for approved claims.

I urge the adoption of H.R. 8215.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The committee amendment was agreed to.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the three bills just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF SEPTEMBER 4

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute.)

Mr. ANDERSON of Illinois. Mr. Speaker, I take this time to inquire of the distinguished majority whip if he can inform us as to the program for the week of September 4.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. Mr. Speaker, the program for the House of Representatives for the week of September 4, 1972, is as follows:

Monday, the Labor Day holiday, there will be no session.

Tuesday, the Private Calendar will be called.

Following the Private Calendar:

Conference report on H.R. 12350—Office of Economic Opportunity amendments.

Conference report on H.R. 13089—National accelerated reforestation.

Wednesday, the bill, H.R. 13514—Wheat research and promotion. An open rule with 1 hour of debate.

Thursday and the balance of the week:

H.R. 12114—Indian lands in Oregon. An open rule with 1 hour of debate.

H.R. 15003—Consumer product safety. Subject to a rule being granted.

Conference reports may be brought up at any time, and any further program will be announced during that week.

Mr. ANDERSON of Illinois. Mr. Speaker, I would further ask the majority whip with respect to the bill, H.R. 13694, a bill to amend the joint resolution establishing the American Revolution Bicentennial Commission. It is my recollection that we had finished general debate and were proceeding under the 5-minute rule on that bill and had not completed it.

Is there any intention to schedule that bill for the week of September 4?

Mr. O'NEILL. The answer is in the negative due to the fact that the chairman of the Committee on the Judiciary has served notice that the bill will not be called up during that week.

Mr. ANDERSON of Illinois. I thank the gentleman.

EXPORT ADMINISTRATION ACT EXTENSION

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, on Wednesday this House overwhelmingly rejected attempts to circumvent the rules of this House and rush through controversial legislation in the final days before recess for the Republican Convention. At the time, practically every speaker who addressed himself to the merits or demerits of House Resolution 1094 ended up discussing the merits or demerits of the conference report on S. 3726, the Export Administration Act extension. Before the end of the debate, there could have been very few in this Chamber that were under any illusion that, in fact, House Resolution 1094 had been specifically designed to allow that conference report on S. 3726 to be whipped through this House in record time contrary to the intent of the Legislative Reorganization Act of 1970 which requires a 3-day waiting period to allow Members to acquaint themselves as completely as possible with the complicated details contained in any conference report, particularly on controversial legislation such as the Export Administration Act extension. Still, it is interesting to point out for the record that the Rules Committee and others did attempt to maintain the pretense that House Resolution 1094 had no such purpose in mind and in point of fact, was not directed at speeding through any one conference report.

Well, today, Mr. Speaker, the masks are off and we are dealing with a much more honest, straightforward resolution, House Resolution 1102, which specifically waives the rule for our old friend—or foe, as the case may be—S. 3726, the Export Administration Act extension. In other words, Wednesday's complicated maneuverings are made plain for all to see today. The powers-that-be are going to stop at nothing apparently in their attempts to steamroll through one of the most controversial bills this session, affecting as it does, vital economic interests in different sections of this country. Somebody up there likes this bill. Somebody up there is going to stop at nothing in their attempts to get this bill through. I am under no illusions that if we do beat back today's latest ruse, we will face another maneuver later. At least, however, things are more open now. We know the bill that is the subject of such unprecedented concern. Make no mistake about it, there are powerful interests pushing for this bill and it is clear they are stopping at nothing.

Actually, nothing newer need be said against today's resolution than was said Wednesday. The Clerk would merely have to reproduce Wednesday's debate again today in order to get all the arguments for and against this resolution. The only

difference would be that the Clerk could delete all references to and pious concern for such national security measures as military procurement and construction bills, OEO conference reports, and so forth and so on, because it is clear that these measures are not really what the powers-that-be had in mind with either Wednesday's or today's Rules Committee resolutions.

Mr. Speaker, if there was a genuine concern that the Export Administration Act be extended on time, why was not a bill reported from the committee with jurisdiction in plenty of time before the July 31 deadline? If the lapse of statutory authority to impose export control was really the concern of the banking and currency committee, this bill should have been before us months ago, not days ago. The fact of the matter is, Mr. Speaker, that what put fire behind this bill and got the Banking and Currency Committee moving on this bill, is that on July 17, the Secretary of Commerce exercised some of the power granted to him under the terms of the old legislation. That is when the committee galvanized itself into frenzied activity and spared itself no effort in reporting a bill out in record time and now is asking the House not even to consider it 3 days before accepting 100 percent the terms of a far-reaching conference report. Make no mistake about it, the bill behind this resolution is not an extension of export control. It is a rewriting of export control authority for all intents and purposes. No longer will the Secretary of Commerce have the authority to impose controls where needed over agricultural commodities because the Secretary of Agriculture, whose constituency should be apparent to all, is in effect being granted veto authority by this seemingly innocuous conference report which might be before us today.

Make no mistake about it, this bill does not merely extend existing legislation. It grants statutory authority to yet another agency, yet another advisory council to the President—and we all know how much this country cries out for yet another advisory council to the President. What this bill does is create another Henry Kissinger, another man that will be answerable only to his views of the world as he sees it and to the President. Big deal—Congress is going to get yet another annual report. But, is the Senate going to have the power to approve the chairman of the advisory council? No. Is either the House or the Senate going to have the right to question the chairman or members of this committee? No. But this committee will, in effect, be assuming functions now being performed by an established department such as the Treasury Department or an established agency such as the Federal Reserve over which Congress today enjoys some jurisdiction and can expect some responsiveness and accountability. Mr. Speaker, the last thing Congress needs to do is to further erode its power of questioning and review over the activities of the Executive Department. We have already witnessed what can happen in the foreign policy field when much of the State Department's authority was transferred to a presidential advisor. We should be wary indeed of making this mistake this time in the international economic field. Mr. Speaker, the backroom at the White House is already too crowded. It is time to open up the doors and the windows. It is time that we, too, received some of the confidences now intended only for the President's ears.

Mr. Speaker, the saddest part of all when you look at this conference report is the total realization that it represents one of the most incredible cave-ins on the part of this House to the wishes of the other body. Mr. Speaker, this body a few weeks ago overwhelmingly defeated title I of our own Export Administration Act extension bill only to find our conferees have brought it back in this Trojan horse that is the conference report before us as title II. What was bad as title I in our own bill is hardly better because it comes back as title II in S. 3726. As a matter of fact, title I before it was stricken contained the sort of qualifications, provisos, riders, restrictions, what have you, that alone made statutory recognition of yet another advisory committee in any way palatable.

Now why do I take the House's time today in yet another effort to make sure this House deliberates carefully and conscientiously over this particular conference report? Mr. Speaker, I do so because perhaps never before in this Nation's history have we, as an economy, been so beset with the most fundamental international problems. Trade deficits month after month are at an alltime high. Instead of a balance of payments, what we have in effect, is a continuing imbalance of payments. Foreign investment opportunities look brighter than ever before, while our own domestic economy continues in the doldrums for lack of the necessary rejuvenation which can only come from massive reinvestment. Unemployment rates stand at record levels and the story is abroad in the land that our foreign trade policies have a bearing on these figures. Mr. Speaker, all around us we see huge corporations growing like topsy. Economic power every day is further concentrated in the hands of few giants who already have too much power. These corporations increasingly know no national boundaries and not surprisingly display few loyalties to any nation. Money, jobs, goods are moved about the world as if it were a chessboard, with no regard for national boundaries or the unemployed that are left behind. Mr. Speaker, we forget, at our own peril, that there are pawns in this international chess game and they are the workers we were elected to represent. And over and above all of this, the dollar increasingly appears to be more of a yo-yo than a stable international monetary standard.

So. Mr. Speaker, at the very time we should be proceeding cautiously in this area of international economics; at the very time when we should be engaged in a national soulsearching about what has gone wrong and where we should go in the future; at the very time we should be reviewing existing trade policies that have brought us into this chaos and for the first time tackling both the challenge and the problem presented by the multinational corporation as a modern business unit; at the very time we should be having extensive foreign trade hearings before the committees with jurisdiction in this field—at the very time all of these things should be going on, we are treated to the sorry spectacle of a House passing without due consideration or concern for the far-reaching implications legislation such as that embodied in the conference report on S. 3726. Mr. Speaker, in view of the broad authorization of objectives and the glib marching orders for this new statutory committee; I cannot in all good conscience, support any attempt to save even so much as a day in considering the legislation before us. For a bill which started off as one of the most poorly written bills ever to be reported from committee this session, only to be virtually rewritten on the floor, then only to be virtually scrapped on the floor; for a bill which represents a total sellout to the other body; this bill has come a long way very far, very fast. It is time that this House had the courage to blow the whistle on its meteoric rise to the status of law and slowed it down just long enough for each Member here today to know what it is all about. Mr. Speaker, I urge in just as strong terms today as Wednesday, the defeat of this latest attempt by the Rules Committee to circumvent the purposes of the Legislative Reorganization Act.

THE SPIRIT OF '76

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, as most of us are aware, the United States will be celebrating its historic bicentennial in 1976. For this momentous occasion, the old but very fitting theme—"The Spirit of '76" has been appropriately revived.

Speaking of another kind of spirit, I should like to bring to the attention of my colleagues that, on September 20, the California Brandy Advisory Board will be hosting a reception here in Washington as part of their promotional program to bring to the attention of those people who are, as yet, unaware that we in California are now producing quality brandys for those who enjoy good brandy.

California brandy, in addition to providing comfort and pleasure to brandy fanciers, also is rapidly becoming a viable contributor to our Nation's economy at every level of government. In 1971, California brandymakers paid taxes in excess of $175 million—and that is nothing to be sniffed at.

Representing the Napa, Sonoma, and Mendocino County "Wine Country", as I do, the contribution to the economic stability of these areas, by this industry, is well known but the beauty of the vineyards in these valleys can only be appreciated by those that visit the area. The quality of the environment is matched only by the quality of the products of the area.

We invite you to come visit us and assure you that you will leave with a good feeling and a good taste in your mouth.

LABOR-HEW APPROPRIATION VETO

(Mr. O'NEILL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, the President, by refusing to sign into law the Department of Labor-HEW appropriation bill, has proclaimed to the people of the United States that he, and he alone, is the sole director of priorities in this Nation.

Not only has the President credited to himself and his administration, action initiated, analyzed, drafted, rewritten, reported, and passed by this Congress, but he insists on calling this body reckless and inflationary because we added $1.8 billion to this human needs legislation.

Let us look at the President's record of concern for America's health, education, and manpower needs and in particular his record of Government spending.

Health, manpower legislation—the administration withheld support from the bill until the day it reached the floor. The administration's own bill provided for only about half as much funding.

Sickle-cell anemia—the Deputy Assistant Secretary for Legislation in HEW testified against the bill calling it "redundant and unnecessary."

Cancer research—long before the administration introduced a cancer bill, a Democratic initiated measure had been reported out of committee.

In fact, this administration, which claims to be second to none in its concern for America's health, education, and manpower needs, proposed an NIH budget that, exclusive of increases for cancer research, is considerably lower than last year's budget. It proposed a decrease in Office of Education expenditures and repeatedly rejected congressionally initiated measures in the manpower field. This administration may be second to none in its concern. But it is long on concern and short on action.

Apparently in the President's eyes only budget increases for human welfare are inflationary—for President Nixon has been generous in his recommendations for increased defense spending.

Despite, or in President Nixon's strange logic, because of, the SALT agreements and the "ending" of the war in Vietnam, he has proposed hikes in military spending far greater than those this Congress has made in his Labor-HEW budget.

Mr. Speaker, the $1.7 billion increase in the President's Labor-HEW request provided by Congress, though for the public's welfare, is of secondary priority to this administration. Much of the increase was necessary simply to replace funds cut by the administration. For example, President Nixon saw fit in his budget to cut $400 million in medical school, hospital and other health construction programs. In spite of the President's calls for quality education for all children, $200 million in aid to schools in federally affected areas was slashed.

Despite almost daily alarming news about drug use, the Office of Education signalled its intent to cut back Federal support for ongoing community-based drug education projects. Funding for programs directly aimed at coming up with cures for this Nation's most menacing diseases did not escape the administration's paradoxical pecuniary parsimony.

President Nixon has told us that these cutbacks and the lack of new funding in the human welfare fields are the price we must pay for the restoration of economic stability. Of course, the President's credentials as an economic prognosticator are not very good. His own action in recommending increased funds in defense appropriations, hardly strengthens his case. Even without explaining away his inconsistency, the President would be hard pressed to justify his obsessive opposition to these budget hikes.

The President neglects to mention the end savings likely to result from adequate financing of human welfare programs. Is not the President aware that estimates of the loss to the economy due to individuals suffering from Parkinsonism, stroke and cerebral palsy run in the range of $100 billion a year? Is not the President aware that the resulting burden on public agencies comes to about $10 billion a year? Why then did the administration's budget provide virtually no increases for research on the causes and cures of these diseases?

The President tells us that this appropriation is recklessly inflationary. He fails to tell us that like everyone else, the Government is affected by inflation. Additional funds are necessary just to sustain existing program levels. Financing of urgently needed new programs designed to improve our welfare demands even higher appropriations.

The President leads us to believe that the slightest addition of funds above his budgetary requests will launch us into an uncontrollable inflationary spiral. He conveniently ignores the 5.5 percent current unemployment rate. He is apparently unconcerned that the economy is now operating at only 75 percent of its capacity.

The President tells us that we must limit Federal expenditures, but the President does not do so himself. The President's programs result in billions of dollars in increased deficits, yet the President draws the line at the increases he has suggested. Is the President really opposed to new spending or is he only opposed to the spending priorities promoted by this Congress?

Let us analyze the record of recent Government spending.

For fiscal year 1972 the budget was $231.5 billion. This year the President has set a price of $250 billion as the magic mark. This means that his budget is $18.5 billion more than was spent in fiscal year 1972. In his veto message of the Labor-HEW appropriation bill, the President has stated that it is $1.8 billion more than he is willing to spend. How many thousands of people will suffer from President Nixon's unwillingness to raise the budget from $250 billion to $251.8 billion.

Let us look at the record for the last 20 years. During the Eisenhower administration, the average deficit for each fiscal year was $2.7 billion. During the Kennedy administration, the average deficit per year was $7.5 billion. During the Johnson administration, the average deficit was $11.5 billion. During the years of President Nixon, the deficit has been $27 billion a year. About 25 percent of our national debt has occurred during the administration of President Nixon.

With these figures it is hard to rationalize how President Nixon could in good conscience have vetoed the Labor-HEW appropriation bill.

The American people are tired of a President who talks about inflation while favoring substantial defense spending increases and opposing legislation that would quench the inflationary fires in the health industry by providing an adequate supply of trained manpower. They are fed up with the President who considers 5 to 5.5 percent unemployment and a 75 to 80 percent utilization rate necessary for price stability. Most of all the American people are fast catching on to a President whose major initiatives in the field of human welfare have been vetoes of bills passed by this Congress.

CALIFORNIA BRANDY: THE SPIRIT OF '76

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MATHIAS) is recognized for 5 minutes.

Mr. MATHIAS of California. Mr. Speaker, I would like to place on record a few remarks regarding California brandy, the soul of the California grape. Not only is it steep in American history, but it is a unique blend of tradition and modern technology. In the San Joaquin Valley, the great brandymakers of this country have developed distillation techniques and established quality standards that are the envy of this worldwide industry. I heartily recommend that California brandy, the American spirit, be designated as the bicentennial spirit and that all present, at their first opportunity, avail themselves of its unique pleasures. Cheers.

THE AMERICAN SPIRIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MCFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, I would like to take just a moment to give formal recognition to one of the great spirits of the American way of life, both past and present.

Before the birth of our country and ever since, California brandy has been a proud product of American craftsmanship, particularly that of my Golden Staters in the great San Joaquin Valley, often called America's Brandyland.

There, all of the fine brandy made in this country is produced and sent out to provide this Nation comfort and cheer. Because of the service that this spirit

has furnished our citizens down through the years, I believe California brandy should be recognized formally as the "Bicentennial Spirit."

The unique history of this beverage and its development as one of the outstanding products of the Golden State and the Nation has been recorded in a recent background article prepared under direction of the California Brandy Advisory Board.

I recommend this interesting résumé, tracing the history of the beverage from its discovery through refinement to its present day esteemed status, to the attention of the Members. It follows:

CALIFORNIA BRANDY

(By Bob Flynn)

Brandy has been celebrated for centuries as one of the noblest spirits of nature and is generally considered the oldest of all distilled beverages. Traditionally referred to as the drink of kings and the king of drinks, it has borne a variety of romantic appellations down through the ages.

The French called it, *eau-de-vie*, water of life. Some Latin-speaking regions used the designation, *acqua vitae*. To others, it was *acqua vitae ardenes, acqua vini, spirits vini*, and even the intriguing, *mercurius vegatabilis*. But no matter how curious the nomenclature, the same basic thought was there as it is today: brandy, the ultimate product of wine-making, is the true soul of the grape.

The art of making brandy has been formally practiced for at least eight centuries in the Western World. It is said that a Spanish scientist, Albuecasis, first experimented with the process of distilling wine into brandy in the 12th century.

A more recent, and perhaps more appetizing footnote to the history of brandy traces it back to a Dutch shipmaster in the 16th century.

In plying the brisk wine trade between the port of LaRochelle in France and Holland, this enterprising captain was cramped for space in his small sailing vessel. He hit upon the idea of concentrating the wines in his hold by eliminating the water, or distillation, thus transporting only the spirit of wine into Holland. Once on native ground, he planned to add the water back, and make a huge profit. But when his fellow citizens sampled this new product they liked it so well they wouldn't let him change it, and a brandy trade was born.

True or not, the distillation of brandy spread from Spain to all other European countries, and thence across the seas. Since fire was used to distill the wine, it became known as "burnt wine," *brandewijn*, in Holland, *brantwein* in Germany, and *brandevin* in France. To the English tongue it was *brandywine*, and soon became just plain brandy.

California brandymaking probably began with the Mission Fathers. As civilization took hold there, so did the vine, and thus brandy. By the 1840's, brandy was one of the small amenities of frontier life in the West, and we know that Captain Sutter, whose mill started the Gold Rush, had constructed a fully equipped brandy still at his fort in 1843.

Good brandy in small quantities has always been made in California but the perfection of the distilling art and the acceptance of native brandy by Americans had to wait until comparatively recent times. Actually, it wasn't until the repeal of prohibition that brandymaking became a major part of the grape industry. And even then it was mostly a salvage operation, a way to use up excess grape crop. As one leading wine executive described the brandy of the thirties: "The quality—to be charitable—was uneven."

It took World War II, with its shortages of imported brandies and other spirits, to turn the consumers' attention to their own native brandy. Even though it wasn't then the smooth, balanced beverage it is today, the public took to it eagerly. They found that its straightforward flavor and aroma, neither as complex nor as deep as that of Cognac, made it pleasant by itself, and an ideal liquor for mixing cocktails.

Encouraged by this surge of interest, growers and distillers began a long range program of product improvement and quality control. Quietly, carefully, for about the last 25 years, they began establishing one of the great brandy centers of the world. It's located roughly in a 200-mile swath of lush green vineyards stretching from Lodi, about 150 miles due east of San Francisco, south nearly to Los Angeles.

In this warm fertile valley, which has been accurately called America's "Land of Brandy," are concentrated the grapes, the distilleries, the storage facilities and the brandymaker's skills that account for more than 98 percent of all the brandy produced and bottled in the United States.

Here the soil and climatic conditions, the vintner's heritage, and some of the most sophisticated distilling technology in the world have combined to make a native American beverage that is distinct from the brandies made in any other country. Although there is enough variety among California brandies to suit almost any palate, they can all generally be described as light, clean, highly aromatic and fruity—a unique spirit not easily confused with any other, delightful straight and almost infinite mixable.

A famous gentleman of wine, the late Andre Simon, wrote of brandy that it is, "a spirit distilled from wine, anywhere. It has been distilled in most if not all of the lands where grapes grow and wine is made." But, he added, there are wines more suitable than others for distillation. And this is one of the principles that has made California brandies by far the most popular of all brandies consumed in the United States.

In the production of beverage brandies, the primary concern is that the grape used be ripe and sound, and of a high sugar content. In addition, it has to be of such a variety that no distinct varietal flavor will penetrate into the final product. In California it was determined that among the finest grapes for this purpose were the Tokays and the Thompsons, plus the Grenache, the Emperor and the Mission. Others like the Malaga and the Petit Sirah, are used in smaller degree. But, whatever the grapes, they are fresh, whole, and sweet.

Another discovery of the California distillers was that while aging in the wood improves most wine, only fresh, newly fermented wines produced the fruity bouquet they desired for their brandy. Western brandies are distilled exclusively from young wines, and thus brandymaking begins shortly after the harvest starts, ending when the supply of fresh grapes run out.

The single most significant change made by the U.S. brandy industry, however, was the replacement of the centuries-old "pot still" with the efficient, high-capacity continuous stills now used almost universally here.

Pot stills are low, rounded copper containers with small capacity. They require emptying and cleaning with each new batch of wine. Most important, they make it difficult to separate the various elements of the distillate, and generally produce a heavier brandy.

Continuous stills are much more productive, since they do not need shutting down for reloading. These tall metal columns also give very precise control over the distilling process, allowing producers to separate off almost all the unwanted parts of the distillate.

Some distillers maintain a few pot stills and blend small amounts of this heavier brandy into the final product to add body and fullness. In general, however, brandymakers have turned to the ultra modern, towering continuous stills developed in California—capable of producing thousands of gallons an hour, and producing a beverage marked by lightness and flavor.

In the most basic terms, distillation is simply applying steam to wine. At the lowest temperatures, the ethyl alcohol is transformed into a vapor. When it goes through a condensing process and is cooled sufficiently it reverts to a liquid, but now, with the water removed, it is actually new brandy.

At this point, the master brandymaker turns to nature for two vital ingredients. One is the fine white oak used in brandy barrels and the other is simply the passage of time.

Most California brandy is aged in used oak whisky barrels, charred on the inside. A smaller percentage is aged in a new oak cooperage. The only difference is that the new oak imbues the final product with a more distinct oak flavor. The decision is the brandy master's, and depends upon his special recipe.

All U.S. brandies are required by law to be aged at least two years, but most of the California product rests in the barrel longer—probably an average of four years. Some brandies, reserved for premium use or for blending, remain in the barrel for six, eight, or ten years.

The action of the oak upon the new brandy is essential to the creation of the splendid character and softened tone of the spirit that finally results. No one knows exactly how the aging process works: part of it takes place through the interaction of chemicals in the wood and in the brandy; part of it takes place through oxygenation, as the oxygen slowly permeates the stout oak and the liquid within. All the while, the perfume and taste are being altered, and when it's time for bottling, the brandy has taken on a beautiful amber shade, a mellow taste and a delicate bouquet redolent of grape blossoms.

Making and aging brandy is not for those who have limited budgets or are faint of heart about investments in the future. When you consider that a typical California aging warehouse may contain anywhere from 10,000 to 300,000 barrels, just the cost of cooperage and storage alone is staggering, and the initial investment will not pay out for from two to ten years. In addition, there is considerable loss of inventory from evaporation during each year of aging.

Some glimpse of the fiscal responsibility entailed in the aging of brandy can be seen from the fact that an inventory of 250,000 barrels—and there are some of that size presently—has a tax value to the Federal government of about $150 million, calculated at the rate of $10.50 per proof gallon.

The consummate art of the brandy master comes into fullest play during the final steps of the production process—the unbarrelling, blending and bottling. Each brandymaker has his own carefully guarded library of formulas or "recipes," plus carefully selected samples of prior batches of brandy. Extensive periodic testing while in the barrel and just prior to bottling is essential to the art, and the flavor experts rely heavily on their remarkable recall of taste characteristics.

Some U.S. brandy is bottled straight, that is, without rectification, or blending. The only thing added to straights is distilled or deionized water to reduce the proof from the barrel. Usually these are from five to ten year-old brandies. Straight brandies are generally bottled at 86 or 100 proof, and they are favored by drinkers who enjoy the drier, more volatile spirits.

Most California brandy is rectified, or blended with other brandies. Small amounts of pot still brandy are sometimes used—but the precise formulation of each brandy remains in the trade secret category. The rectified brandies are usually bottled at 80 proof.

Finally, when the blending is completed, the brandy is filtered for perfect clarity, and moves to the bottling line. The task is done, the elixir is captured, and merit of the product is preserved in glass once and for all. Prevailing myth to the contrary, brandy, unlike wine, ages no further in the bottle. A California brandy aged six years in oak, and bottled yesterday is going to taste better than some brandy aged one year, bottled 50 years ago, and sold as "fifty-year-old Napoleon."

Although most consumers of this superior beverage have little idea of the meticulous care that goes into its making, recent consumption figures show they like the results. From 1960 to 1970, for example, sales of all brandy in the U.S. went from 2,422,000 cases to 4,842,000 cases—a gain of more than 100 per cent. About 75 per cent of yearly sales are American brandies, presently available under more than 300 labels, but all from that small corner of California that is Brandy Country. Brandy consumption is increasing substantially faster than the average consumption of all spirits, and the industry expects case sales in 1980 to be more than 9,000,000. These figures demonstrate that California brandy is gaining loyalists all across the country.

Perhaps the characteristic that is most noticeable about California brandy—especially to the novice drinker—is that it tastes good. The flavor and aroma of the grape wine from which brandy is made survives the distilling process, and gives brandy an undeniable claim to its title as "the soul of the grape."

HISTORIC BEVERAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SISK) is recognized for 5 minutes.

Mr. SISK. Mr. Speaker, when this great country of ours was being forged, the good mission fathers of the West were already producing and dispensing brandy.

It was one of the few comforts of an often harsh pioneer life. Thus, California brandy has been, and continues to be, closely associated with the spirit of '76.

One of the famous battles of the Revolution, out of which this country rose, was fought at Brandywine, Pa. And brandy doubtless warmed the hearts and soothed the cares of our freedom fighters.

Thus, I too maintain that California bandy—or American brandy, if you wish to call it by that name—should be officially called the "Bicentennial Spirit."

McGOVERN'S POW PLOY: POLITICS, PROMISES, AND PARIS PARLEYS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANDERSON) is recognized for 15 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, I think it is time we clearly recognized the emergence of a most unfortunate development in the presidential campaign of the Democratic candidate, Senator McGOVERN, and that is the politicization of the prisoner-of-war issue. And let me preface my remarks by saying that I have no quarrel with any elected official expressing his genuine concern about the safety and well-being of American prisoners of war, their repatriation, and a full accounting of the missing in action.

But it seems to me that Senator McGOVERN has far overstepped these bounds by making the prisoners of war a political campaign issue, and this is especially unfortunate and dangerous during this very sensitive stage in the official negotiations. The McGovern POW ploy may best be characterized by the terms, politics, promises, and Paris parleys.

In his opening address before the Democratic Convention, then National Chairman Larry O'Brien lectured on the need to level with the American people. "How do we level?" he asked.

> We begin, I believe, with a few simple steps: We cool the excessive political rhetoric. We lighten the purple prose. We do not promise what we know cannot be delivered by man, God or the Democratic Party . . . Now we must stop kidding the American people. We must tell them the truth.

And yet, only a few days later, in his acceptance speech, Senator McGOVERN made the following promise:

> Within 90 days of my inauguration, every American soldier and every American prisoner will be out of the jungle and out of their cells and back home in America where they belong.

Mr. Speaker, I would submit that if ever there was a promise that flew in the face of Larry O'Brien's advice not to promise what "cannot be delivered by man, God or the Democratic Party," that was it, for no American President has it within his power to unilaterally release American prisoners from enemy camps. To tell the American people otherwise is the cruelist form of deception for it is playing politics with the lives of human beings, both the prisoners and their families.

More recently we have been treated to the results of Mr. Ramsey Clark's impartial and objective, guided fact-finding tour of North Vietnam. Just this week, before a subcommittee of that other body, Mr. Clark reproduced the hook, line, and sinker he had swallowed in Hanoi. Mr. Clark claimed he made his visit in search of the truth because "it is very difficult to get the truth in America"; and yet he returned with props and pictures provided by his hosts and observations made on a specially guided tour. And he concluded that the treatment of American prisoners was "humane" after talking with only 10 specifically selected POW's out of 1,500 POW/MIA's.

And to bolster his impartial and nonpartisan credentials, Mr. Clark is quoted by the August 15 Washington Post as saying:

> The election of Sen. George McGovern would trigger the immediate release of some U.S. prisoners of war next Jan. 20 and the release of all of them in another three months.

While Mr. Clark was quoted in the same paper on the previous day as having said he received assurances on the release of prisoners from "high officials in Hanoi," at his subsequent press conference the only assurances he could pull out of the bag was a letter from a North Vietnamese newspaper editor.

Then, in his appearance before the subcommittee of the other body on Wednesday of this week, Mr. Clark backed off even further, saying his comments about the election of McGOVERN and the release of prisoners had been imprecisely reported.

Now we learn that Senator McGOVERN has sent his own personal emissary, in the person of Pierre Salinger, to Paris to discuss the prisoner of war situation with North Vietnamese officials—and at the very same time that the President's own special envoy, Henry Kissinger, was involved in sensitive talks with the North Vietnamese negotiators.

Mr. Speaker, as I said earlier, I do not fault anyone for making special efforts and pleas on behalf of American prisoners of war. But at the same time, I think we have to recognize the special set of circumstances which pertain in this instance. Senator McGOVERN, a candidate for the Presidency of the United States, sent his own personal emissary to Paris to talk with the North Vietnamese at what is perhaps the most critical juncture in the peace negotiations. Now, the Senator's intentions may have been the most honorable, and Mr. Salinger's talks with the North Vietnamese may have been harmless; but then again, it is just possible that something could have been said to jeopardize or undermine those very sensitive negotiations. This is a very real risk and possibility when it involves a spokesman for someone who is trying to replace the present administration, and I think, in the interests of peace, that Senator McGOVERN should have recognized that danger and risk and exercised some discretion and good judgment. But then, perhaps it is not fair to fault Senator McGOVERN entirely on this since his initial reaction to the report of Salinger's talks was one of surprise. He is quoted in Springfield, Ill., as saying:

> Pierre Salinger had no instructions whatsoever from me. He told me he was going to Paris and he said while he was there he might try to make some determination of what was going on in the negotiations but there wasn't the slightest instruction on my part to him.

Within 2 hours, however, Senator McGOVERN, presumably having been briefed by his staff on what he had done, made the following statement:

> At my request, he (Salinger) met with members of the North Vietnamese delegation in Paris. The only purpose of the discussion was to determine if any change had occurred which would permit the return of the prisoners prior to the end of hostilities.

This is a most curious reversal of positions in such a short time and not only raises the question of credibility, but would seem to increase the risks involved in the Salinger talks since he was apparently operating under rather imprecise instructions from yet to be determined sources.

Now in this morning's news we have the astounding and shocking report that Senator McGOVERN has charged that the Kissinger mission is a "highly publicized global junket" designed to deceive the

American people on the chances for peace in Vietnam. Mr. Speaker, I would submit that this is a highly irresponsible and reckless charge. It is specially ironic that Senator McGOVERN presumes to know the nature of the Kissinger talks when he did not even know about the instructions his own personal emissary had received. Senator McGOVERN is further quoted as having said in a Racine, Wis., press conference that—

> The President has placed the survival of Gen. Thieu's political career ahead of the interests of releasing our prisoners and bringing the troops home.

Again, I would submit, Mr. Speaker, that this is a most senseless and presumptuous charge, and is but one more example of McGOVERN's cruel politicization of the prisoner of war issue. I would, therefore, call upon Senator McGOVERN, in the interests of humaneness and decency, to cease this reckless demagoging on the POW issue and agree to a moratorium on the political exploitation of our POW's for the duration of the campaign. It seems to me this is the only proper course for restoring a sense of reasonableness and responsibility to our discussions of the real issues in this campaign.

IMPROVEMENT IN OSHA PROPOSED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER), is recognized for 10 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, because the Williams-Steiger Occupational Health and Safety Act of 1970—OSHA—bears my name, I feel a special responsibility to carefully monitor its implementation.

In that effort, I have made a special point to visit a great many places of business, both in the Sixth District of Wisconsin and elsewhere, to discuss this law, respond to questions, and assess the impact of the standards and the Labor and HEW. These visits with employers and employees, along with scores of letters from across the Nation have been helpful to me in determining how well the law is operating. Given the size, scope, and complexity of this legislation, it is my best judgment that the Departments of Labor and HEW are doing a commendable job.

A great deal of attention by the Congress has been devoted to the criticisms of OSHA and a substantial number of bills to amend the act have been introduced. This is as it should be in a democracy. One must be careful, however, that changes are not made at the expense of the health and safety of workers.

The biggest criticism of OSHA has come from the small businessmen who would like to come into compliance with the standards but lack the technical staff resources to interpret how the standards apply to their operations. I have determined that this complaint is justified and for that reason I am introducing today an amendment that would enable the Labor Department to provide onsite consultation for employers of 50 or fewer employees. Such a change would, I believe, respond to the many who have said to me "I want to comply but do not know what I am supposed to do."

Under the Williams-Steiger Act, the Department of Labor is legally precluded from providing any consultation visits on an employer's premises without triggering the act's enforcement procedures. Section 9 of the act provides that, upon inspection, a compliance officer who believes that an employer has violated a requirement of the act must issue an appropriate citation and in many cases a proposed penalty to the employer. Since section 8 makes it clear that any entering upon the employer's premises is regarded as an inspection provided for in section 9, appropriate enforcement action would have to be taken following a consultation visit.

Since small employers face unique problems in complying with the act and since voluntary compliance, which is an essential aspect of the Federal occupational safety and health program, would be greatly enhanced by providing consultative visits at the jobsite, this amendment to the small-business section of the act—section 28—is being proposed to permit such visits in the case of those employers of 50 or fewer employees.

This amendment would amend section 28 of the act, so as to permit worksite visits by officials of the Department of Labor or their agents for the purpose of advising or consulting the small employer on his obligations under the act. The amendment expressly provides that the visit would take place only if the small employer requests such a visit for the purpose of discussing interpretation or application of standards or possible alternative ways of complying with the standards. The visit would be limited by the matters set forth in the request relating to conditions, structures, machines, apparatus, devices, equipment, or materials in the workplace. However, within the limits of the visit, there would be discretion to decide when and to what extent the visit would be conducted, depending on the availability of resources and other relevant factors.

The proposed amendment makes it clear that jobsite consultation visits are not inspections and investigations under the act which necessarily involve the issuing of citations and the proposing of civil penalties where circumstances so warrant. Even though hazardous conditions may be disclosed during a visit, the Department would be precluded from issuing citations or proposed penalties upon such visit. And the amendment makes it clear that the Secretary is not required under its provisions to conduct an inspection under section 8 of a workplace because it has been previously visited for the purpose of giving consultation and advice.

However, where the Secretary chooses to conduct an inspection under section 8 following a consultation visit, he may take into account in connection with the inspection any information obtained during the earlier consultation visit. The amendment also provides that the Secretary is not precluded from issuing citations and proposing penalties during an inspection by virtue of the fact that during the earlier consultation visit no advice or consultation was afforded to the employer about the particular condition which was later cited.

Further, since a consultation visit would not be an inspection under section 8, the visit would not be subject to the statutory incidents of an inspection. However, the amendment does require the Secretary to provide by regulation for appropriate consultation with employees concerning the consultation visit.

The amendment also provides that the Secretary, in issuing regulations, must insure that the persons who conduct the jobsite consultation visits are not OSHA compliance safety and health officers. Those who conduct the consultation visits should be advisers and, though fully qualified, should be completely separated from the staff of compliance officers having enforcement responsibilities.

The language of the amendment would permit the advisers to make recommendations to employers regarding the correction of workplace hazards disclosed within the scope of the visit. Such recommendations are a necessary part of an effective consultation program and would contribute greatly to workplace safety.

A very important provision of this amendment is the exception in the case of "imminent danger." While the consultation visit is not an inspection in any sense, the amendment contemplates that, if a situation constituting an imminent danger comes to the attention of the adviser in the course of conducting a consultation visit to the jobsite, he will immediately bring the matter to the attention of the employer who will be expected to abate the danger. Following this, the adviser will contact the area director, who will then promptly take whatever further enforcement action is necessary. In such situations, the Department would clearly have the responsibility to take all appropriate action to protect the lives of employees.

In clearly distinguishing between consultation visits and inspections, it should also be clear that the Secretary of Labor would not be permitted to conduct consultation visits where inspections or investigations are required under the act. For example, the Secretary may not respond to a valid employee complaint under section 8(f) of the act by conducting a consultation visit to the worksite. Nor is it contemplated that consultation visits be employed to any extent as a substitute for otherwise scheduled compliance inspections.

The amendment is not intended in any way to derogate from the Department's compliance activity; its purpose is solely to authorize consultation visits in addition to inspection activity which would normally be taking place.

Lastly, the amendment makes conforming changes in section 21 of the act and provides for a delay of 120 days in the effective date.

I am hopeful, Mr. Speaker, that this amendment will enable the small employers who wish to comply to do so while protecting all concerned in imminent danger situations. I look forward to working with my colleagues on the early

consideration of this legislation in the mutual effort of employers, employees, and government at all levels to enhance our workplace environment. This legislation has been introduced at this time in order to give all interested parties a full opportunity to review the bill and provide comments and suggestions, so that the Congress can move promptly to pass a bill which embodies this concept.

RESIGNATION OF CONGRESSMAN POFF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 10 minutes.

Mr. KASTENMEIER. Mr. Speaker, this month of August marks a grievous loss to the House and an immeasurable gain to the judiciary of Virginia with the resignation from Congress of our esteemed friend and colleague, RICHARD H. POFF, from the Commonwealth's Sixth District.

DICK POFF came to the House with the 83d Congress, in 1953, and has served continuously since then. He is closing his 11th term in order to ascend the bench of the Supreme Court of Virginia.

It has been my privilege to work with DICK in the Judiciary Committee, of which we are both members, and I cannot let the occasion pass without setting forth some of my feelings about him and his departure at this time.

DICK POFF joined the House after some years of private practice of law in Radford. He had been named Virginia's outstanding young man of the year by the Junior Chamber of Commerce in 1954.

My own closest association with DICK was in connection with our joint service on Subcommittee No. 3 of the Judiciary Committee. In connection with the copyright law revision project which led to the passage by the House of a revision bill in April 1967, it was my duty to preside over the length hearings and subcommittee consideration of this legislation. DICK was the ranking minority member and we could not have done without his vigorous, analytical intellect, and his capacity for clarifying the obscure.

DICK POFF was appointed by the President to be a member of the National Commission on Reform of Federal Criminal Laws, on which I also served. The appointment of the Commission was authorized by the act of November 8, 1966, of which Congressman POFF was the principal author. Because of his keen mind and his great reverence for the law, the Commission members elected him vice chairman.

DICK has achieved much justified prestige in his own party, having served as chairman of the Republican Task Force on Crime and as secretary of the Republican Leadership Conference.

About a year ago, DICK POFF's name was submitted by the President to the Senate as a nominee to a vacancy on the Supreme Court of the United States. For personal reasons DICK thereinafter withdrew his name from consideration for this high office. Nonetheless, Congressman RICHARD POFF was an eminently appropriate nomination, wholly supportable not only on grounds of legal competency and high personal integrity, but for many other highly relevant reasons. His nomination was one that I, notwithstanding fundamental philosophic differences between us, would have been constrained to support, even, as I had indicated to others, by volunteering my testimony in his behalf to the other body's Judiciary Committee.

For men of his unique dedication and fairness, his special, judicial turn of mind, come altogether too seldom to legislative bodies, whatever their political disposition. And, when they leave, we experience a grave loss.

That the jurisprudence of Virginia will be enriched by DICK POFF I have no doubt, that the Judiciary Committee of the House of Representatives can replace him I have serious concern.

Nonetheless, we, his friends who have come to admire him and his work, commend to DICK POFF our fond good wishes.

ANOTHER LEE MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 15 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, during my years as a Member of the U.S. House of Representatives I have watched with interest the noteworthy restoration and revitalizing of the heart of Washington's sister city, Alexandria, Va.

For a time my own working residence in the Washington area was in the historic section of Alexandria, known as Old Town. During that period numerous homes built in the late 18th and early 19th centuries were restored by private owners, many new townhouses blending in tastefully with the historic homes were constructed and an urban renewal project undertaken which culminated in development of a new shopping center including office buildings in neo-Georgian style, a variety of stores and open space in the form of a town square.

The work of preserving and restoring the city's historic houses is continuing. Most notably there was an announcement just recently that the Lee-Fendall House at 614 Oronoco Street has been acquired by a preservation society and will be put in a state of good repair and opened to the public as a memorial to General Henry "Light Horse Harry" Lee, of Revolutionary War fame.

I am sure everyone in this Chamber has at some time seen or at least gone by this large, frame house on the corner of Washington Street and Oronoco, directly on the route from Washington, through Alexandria, to George Washington's home at Mount Vernon. For many years it was known as the John L. Lewis house, for the late leader of the United Mine Workers of America lived there with his family from 1937 until his death in 1969.

Mr. Lewis was a familiar figure to Alexandrians as, in his later and retired years, he would sit in the enclosed porch on the Washington Street side of the house and watch each year the annual Washington's Birthday parade on February 22.

The origin and importance of the house, however, goes far beyond the lifetime of John L. Lewis. It was built in the late 18th century by a member of the Lee family of Virginia and for a century housed various members of the family and played host to other Lees and many other Americans prominent on the national scene.

Although Gen. Henry "Light Horse Harry" Lee, a favorite of Gen. George Washington, did not actually reside at 614 Oronoco Street, he once owned the land and spent much time in the house with his relatives since his own last home was almost directly across the street, at 607 Oronoco Street. The latter for the last 5 years has been open to the public as the "Boyhood Home of Robert E. Lee," a son of "Light Horse Harry" Lee.

It was at 614 Oronoco that "Light Horse Harry" wrote a speech containing the embryonic ideas which he, as a Member of Congress, included in a later speech eulogizing George Washington as "First in war, first in peace, and first in the hearts of his countrymen."

Still later, "Light Horse Harry" himself became in a sense a victim of war. He was injured by antiwar rioters at Baltimore during the War of 1812 and never fully recovered. He attempted to regain his health through a trip to Barbados in the Caribbean but succumbed on the way home while aboard ship off the coast of Cumberland Island, Ga., in 1818. He was buried on the estate of the widow of his fellow Revolutionary War general, Nathaniel Greene, at Cumberland Island. His remains many years later were removed to Lexington, Va., to be entombed with those of his son, Robert E. Lee, at Washington and Lee University.

Interest in preserving the Lee-Fendall House after the death of John L. Lewis 3 years ago was aroused by that supreme guardian of historic homes in Virginia, Jay W. Johns. Although a native of my home State of Pennsylvania, having been born at Uniontown, Mr. Johns, a resident of Charlottesville for many years, has devoted decades of his life to preserving historic sites in Virginia.

As the owner of "Ash Lawn," the James Monroe home at Charlottesville, Mr. Johns moved out in order to open that historic house to the public. It was through the efforts of Mr. Johns and the organization he headed, the Stonewall Jackson Memorial, Inc., that Alexandria's Fitzhugh-Lee House, now known officially as the Lee boyhood home, was saved in 1967. That handsome, brick edifice has been visited by tens of thousands of Americans who have been given the pleasure of seeing the Lee family heirlooms and works of art of the period which Mr. Johns secured to grace the house where Robert E. Lee's mother played hostess to the Marquis de Lafayette on his visit in 1824.

At the time of the death of John L. Lewis, Mr. Johns was the first to propose acquisition of the Lewis—or Lee-Fendall—house and opening it to the public in conjunction with the Lee boyhood home, across Oronoco Street. Tremen-

dous obstacles stood in the way. Where was the money to come from, for one thing. Also, there was the possibility that the house and grounds would be sold to make way for a commercial building fronting on Washington Street.

How Mr. Johns overcame all opposition and all obstacles in securing the house is a story in itself. Almost singlehandedly he talked the city of Alexandria into providing $35,000 and the State of Virginia into appropriating $65,000 to help pay for the property. Another $125,000 is needed to complete the purchase and to pay for necessary repairs to the old house. It is the hope of Mr. Johns and associates that this money will be contributed by public-spirited history-minded individuals. At any rate, he will be campaigning to secure the funds, and deserves the support of all of us.

Announcement of the acquisition of the Lee-Fendall House by the Virginia Trust for Historic Preservation, formed by Mr. Johns, was made on July 14, at a luncheon attended by Alexandria city officials, descendants of the old Lee family and supporters of Mr. Johns' and the city's historic preservation plans.

It was no coincidence that the date, July 14, was Mr. Johns' birthday—his 84th—and the 20th anniversary of his having lost his sight. For a score of years and more this remarkable man has dedicated his life to preserving and restoring some of America's great historic buildings. He has traveled by plane, train, and bus continually across Virginia to carry on his work, which is all the more remarkable because of his age and handicap. His work, his efforts, his knowledge of history, his wit and sense of humor, and his loyal friendship are valued wherever he goes.

The half-acre lot on which 614 Oronoco Street stands was purchased by General "Light Horse Harry" Lee in 1784, but he sold it a few months later to Philip Richard Fendall, the second husband of Harry's mother-in-law, Elizabeth Steptoe Lee. Fendall began building the house almost at once. George Washington's diary notes that on November 10, 1785, he "dined at Mr. Fendall's in Alexandria." Fendall, after the death of his wife Elizabeth, married Mary Lee, a sister of "Light Horse Harry."

It was only in this century that the house finally passed out of the hands of Lees and Lee-related owners. At various times, branches of the Lee family owned or lived in a good half dozen houses in the immediate area of the Lee-Fendall House, and the corner of Washington and Oronoco Streets was known as "Lee's Corner". During most of these years, Alexandria was part of the District of Columbia—that is, until its retrocession to the State of Virginia in 1846.

Restoration of the Lee-Fendall House, made possible by Jay W. Johns, will give the city of Alexandria a big lift toward its anticipated participation in the Bicentennial of American Independence in 1976.

Alexandria's city manager, Wayne Anderson, has promised Mr. Johns that by 1976 the city will be able to put its best foot forward. In addition to the Lee Boyhood Home and the Lee-Fendall House being open to the public, he said, there will be a beautification of Washington Street and restoration will be completed on the historic Carlyle House, the Lloyd House, the Lycaeum, and Gadsby's Tavern.

Mr. Speaker, I insert in the RECORD also two clippings from the Alexandria Gazette and the Washington Star reporting the announcement of acquisition of the Lee-Fendall House by the Virginia Trust for Historic Preservation, headed by Jay Johns.

[From the Washington Star, July 15, 1972]

ANOTHER LEE MEMORIAL

(By Mary Eisner)

The historic Lee-Fendall House in the north end of Old Town Alexandria will be restored and reopened as a memorial to "Light Horse Harry" Lee, Revolutionary War hero and father of Robert E. Lee.

At a celebration yesterday, Jay W. Johns who purchased the house just hours earlier from descendents of United Mine Workers President John L. Lewis, announced the completion of his plans for the shrine, his eighth restoration project.

"For the last 20 years of my life I've dedicated myself to trying to preserve historical places in Virginia. These are the places that make America famous, and we have a duty to restore them," said Johns, who was 84 yesterday.

He added that he hopes the house would be fully restored in time for the bicentennial celebration in 1976.

Both the City of Alexandria and the State of Virginia will financially assist Johns' nonprofit company, Virginia Trust for Historic Preservation, with the restoration arrangements for the Lee-Fendall property.

Recently, the Alexandria city council authorized a grant of $35,000, contingent upon release of state funds for the project. According to city manager Wayne F. Anderson, a state contribution of $65,000 was announced earlier this week.

The combined grants will meet about 45 percent of the project's total costs, currently estimated at $225,000.

The spacious white frame, green-shuttered house, at 614 Oronoco St., was the home of various members of the Lee family beginning in the 1780s. Two other Lee houses, including Robert E. Lee's boyhood home, are located across the street.

Light Horse Harry Lee, to whom the memorial is dedicated, served as Governor of Virginia from 1791 to 1796. A captain in George Washington's Continental Army, Lee was a close personal friend of Washington.

Eulogizing Washington in 1799, Lee wrote the well-known words, "First in war, first in peace, first in the hearts of his countrymen."

According to Johns, Washington visited the Lee-Fendall House about 30 times, while Lee resided there.

[From the Alexandria Gazette, July 14, 1972]

TRUST BUYS HISTORIC HOME

Purchase of the Lee-Fendall home at the corner of Washington and Oronoco streets was announced at a luncheon here today.

The Virginia Trust for Historic Preservation has bought the home and grounds from the heirs of John L. Lewis for a reported $185,000.

The organization hopes to raise a total of $225,000 for the purchase and restoration of the historic structure, which reportedly dates to 1784.

The Virginia General Assembly at its last session appropriated $65,000 to be applied toward the project and Alexandria's City Council contributed an additional $35,000 for restoration. The remainder will be sought by public solicitation, according to Mrs. Frances Shively, a spokesman for the trust.

The Society of the Lees of Virginia, has contributed generously, she added.

Complete restoration and opening of the home is slated for April 1974, she said, and it will be operated in a similar fashion to Lee's Boyhood Home across Oronoco Street.

The house originally was built for Phillip Richard Fendall, member of a prominent Maryland family whose mother was a sister of Squire Richard Lee of "Blenheim."

Gen. George Washington mentions the home many times in his diaries, observing on Nov. 10, 1785 . . . "Went up to Alexandria to meet the Directors of the Potomack Company. Dined at Mr. Fendalls (who was from home) and returned in the Evening with Mrs. Washington . . ."

According to historical researchers, the property was purchased in 1835 by Edmund Jennings Lee Jr. for his father.

John L. Lewis, founder of the Congress of Industrial Organizations and long-time president of the United Mine Workers of America, lived in the home from the early 1930s until shortly before his death in 1969.

FOOD STAMP ACT OF 1971: TAX DEPENDENCY PROVISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. SEIBERLING) is recognized for 5 minutes.

Mr. SEIBERLING. Mr. Speaker, implementation of the Food Stamp Act of 1971 has caused several problems in my district and throughout Ohio. Several of these provisions were written in an attempt to prevent students, hippies, and welfare chiselers from receiving food stamps. However, many needy, deserving people are now also unable to qualify for food stamps.

Today I would like to address myself to the so-called tax dependency provision of the Food Stamp Act of 1971. This provision reads in part—

> Any household which includes a member who has reached his eighteenth birthday and who is claimed as a dependent child for Federal income tax purposes by a taxpayer who is not a member of an eligible household, shall be ineligible to participate in any food stamp program established pursuant to this Act during the tax period such dependency is claimed and for a period of one year after expiration of such tax period.

The intent of this provision was to prevent students from receiving food stamps. I would like to include a copy of a letter from the Coshocton County Children Services Board of Coshocton, Ohio, describing the unfair effects of this legislation on nonstudents. In sending me a copy of this letter, Mr. Robert B. Canary, acting director of the Ohio Department of Public Welfare, stated:

> We have encountered numerous cases of need where the family qualifies and receives some form of Public Assistance in Ohio, and yet, county administrators were unable to establish eligibility for the Food Stamp Program because of the inequity of the Tax Dependency Provision of the Amended Food Stamp Act.
>
> We sincerely believe the Tax Dependency Provision of the Amended Food Stamp Act should be corrected to permit participation in the Food Stamp Program for non-college households who are in need and can otherwise qualify for the Program.

Members of my staff have talked with welfare officials across the country about the effects of this provision. It is obvious from their responses that this is not an isolated case. In one instance, a young couple, recently married and expecting their first child applied for food stamps when the husband lost his job. They were ineligible because the wife had been taken as a dependent by her parents during the previous year when she was still a student. They met all other eligibility criteria.

It is long past time we stopped looking suspiciously at anyone who is poor or in need of temporary assistance. No one needs to be told about the high unemployment rate in this country today. If we were half as harsh in extending welfare to the rich in the form of tax subsidies and special tax writeoffs we would have enough revenue to end hunger in the United States. This is only one example of the misplaced priorities in this country.

The tax dependency provision is now before a three-judge panel in the District of Columbia awaiting final decision, in the case of Murray et al. against U.S. Department of Agriculture. I sincerely hope the judges will overturn this inequitable provision under the equal protection clause of the 14th amendment. If they do not, I will introduce legislation to amend the Food Stamp Act of 1971 in this regard.

CHILDREN SERVICES BOARD,
Coshocton, Ohio, June 7, 1972.

Re: Gwendolyn Young,
Mr. HORACE BARNETT,
Supervisor, Food Stamp Program Section, Bureau of General Services, Ohio Department of Public Welfare, Columbus, Ohio.

DEAR MR. BARNETT: I am writing this letter to advise you of a situation in Coshocton County involving a client of our agency who is also a recipient of ADC through the Coshocton County Welfare Department.

On 3/9/70 the Coshocton County Juvenile Court awarded temporary custody of Gwendolyn Young's five minor children to Coshocton County Children Services Board in that they were found to be dependent children. Since that date, the children have remained in foster care placement by this agency. Since 3/9/70, and especially in recent months, it has been the combined efforts of Coshocton County Children Services Board, Coshocton County Welfare Department, and Mrs. Young to effectuate return of all or part of the children to Mrs. Young. This decision was reached after considerable effort on the part of our agency and Mrs. Young to enable her to better care for her children. At this point we feel Mrs. Young is ready for the return of her children.

The problem: During the year 1971 Mrs. Young, who was without income, lived with her brother and sister-in-law in Coshocton, Ohio. When it came time for Mrs. Young's brother to file his 1971 Federal Income Tax Return, he claimed Mrs. Young and her newborn son as tax dependents. Late in 1971 Mrs. Young found suitable housing of her own and went on ADC. She remains on ADC for herself and her one child.

Recently, the Coshocton County Welfare Department learned Mrs. Young had been claimed as a tax dependent in 1971 and informed her she would be ineligible to participate in the food stamp program until January, 1973. According to the Coshocton County Welfare Department, this decision was made in accordance with FSP-17 dated 10/26/71, p. 20, Paragraph G.

I have reviewed this situation with the Coshocton County Welfare Department, and as I read FSP-17, p. 20, Paragraph G, I interpret it as applying to those who are claimed as tax dependents by a parent or guardian. I do not see why this should apply to Mrs. Young's situation. Furthermore, I understand this section was written in the food stamp regulations to prevent college students from participating in the program while being claimed as tax dependents by their parents. This is not the case with Mrs. Young. There was no intent on either the part of Mrs. Young or her brother to deceive anyone in this matter, but rather an attempt by the brother to help his sister when she was in need and was not eligible for public assistance.

At this point, Coshocton County Children Services Board is willing to return at least part of Mrs. Young's children to her. However, without food stamps, Mrs. Young would not be able to provide for the children adequately on ADC.

I will be awaiting your reply as to what can be done to enable Mrs. Young to become eligible for food stamps and, consequently, get her children back.

Very truly yours,
MAX F. BUCEY, *Social Worker.*

STATE OF OHIO,
DEPARTMENT OF PUBLIC WELFARE,
Columbus, Ohio, June 20, 1972.

Hon. JOHN F. SEIBERLING,
Longworth House Office Building, Washington, D.C.

DEAR REPRESENTATIVE SEIBERLING: The Food Stamp Act of 1964, as amended by Congress, was passed January 11, 1971, and provides in Section 5(b):

"Any household which includes a member who has reached his eighteenth birthday and who is claimed as a dependent child for Federal income tax purposes by a taxpayer who is not a member of an eligible household, shall be ineligible to participate in any food stamp program established pursuant to this Act during the tax period such dependency is claimed and for a period of one year after expiration of such tax period."

However, the Tax Dependency Provision also makes non-college households such as the one described in the attached June 7th letter from the Coshocton County Children Services Board ineligible for Food Stamps.

We have encountered numerous cases of need where the family qualifies and receives some form of Public Assistance in Ohio, and yet, county administrators were unable to establish eligibility for the Food Stamp Program because of the inequity of the Tax Dependency Provision of the Amended Food Stamp Act.

We sincerely believe the Tax Dependency Provision of the Amended Food Stamp Act should be corrected to permit participation in the Food Stamp Program for non-college households who are in need and can otherwise qualify for the Program.

Sincerely,
ROBERT B. CANARY,
Acting Director.

EDUCATION FOR BLACKS: UNITY WITHOUT UNIFORMITY

(Mr. HAWKINS asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. HAWKINS. Mr. Speaker, at a time when turmoil and apprehension pervade the black communities of America, it is rewarding to read the words of a man who so well understands their problems and who so brilliantly communicates that understanding to us. Dr. Bernard C. Watson, professor and chairman of urban education at Temple University presented this paper on July 31, at the National Urban League Convention in St. Louis. The paper's focus is on education, a concern of highest priority for all Americans, but especially for black people.

The article follows:

SURVIVAL PHASE II: UNITY WITHOUT UNIFORMITY

(By Bernard C. Watson, Ph.D.)

For the past several years, in black communities across the country, there has been a good deal of rhetoric about black genocide. Depending upon the community or the persons who were talking, the genocide was either physical, educational or psychological. Simultaneously, in these same communities, significant voices were calling for "community control," "nation-building" and the development of plans for "black survival". It was—and for that matter still is—a time of turmoil and apprehension. Perhaps because of it a practice of too many to attach labels to almost every Black among the spectrum of ideology: revolutionary, militant, Uncle Tom, liberal, conservative, oreo, integrationist, Aunt Sarah, separatist, zebra, colored, Negro, ad infinitum. Ideological and philosophical battles involving the most minute distinctions, differences and nuances have consumed the brains, time and energy of some of the best minds in the black community.

In its most bizarre manifestation, Blacks of acknowledged commitment, leadership ability and brains spent months opposing other Blacks with similar qualities over minor points of ideological differences. Less obvious, but no less debilitating, was the state of affairs where Blacks became immobilized as they looked inward and contemplated their navels, as it were, in agonizing attempts at introspection. The rhetoric of "blacker than thou," the ideological labeling, the withdrawal into a world of black fantasy are ultimately suicidal tactics. They distract attention from the very serious business of analyzing current developments which are inimical to the interests of Blacks and other minorities. They divert energy from the critical tasks of planning effective strategies to achieve equal rights for all minority citizens and indeed to assure their very survival.

If Blacks are to have any hope of success in negotiating the troubled waters of conservative and racist reaction to the limited gains and small victories achieved in recent years, they must be extremely wary of having too narrow a focus. Limited vision, whether it concerns people or issues, is a very real danger.

First, Blacks cannot waste time in the search for ideological purity, closing out brothers, sisters and potental allies who happen not to agree on every detail of a specific program. Even as dialogue continues in the hope of reaching consensus, options must be maintained for individuals to speak and act. In a crisis, every weapon, every vehicle, every tool must be pressed into service: the ragtag army may accomplish its goals, while the larger battalion waits, fearful of moving until it is sure of ideological uniformity.

Second, Blacks, together with the other oppressed groups of society, must recognize that the agenda is no less comprehensive than life itself. Some issues may appear more urgent at some tmes than at others, but it would be a fatal mistake to see only individual trees and lose sight of the forest. It is not possible to discuss housing without considering employment, education in isolation from the political system, or health and welfare while disregarding the war. Education is the focus of this essay, but clearly there are endless and complex relationships between educational issues and those which are usu-

ally considered beyond the scope of a paper on education. It would be infinitely more comforting if one could, with a sense of optimism, address himself to the postive achievements and promising developments in the American educational system. Unfortunately, like too many other aspects of the society—housing, employment opportunities, trasnportation, health care—the public schools and much of post-high school education are in disarray.

THE PUBLIC SCHOOLS

It is not an overstatement to suggest that the public schools which are supposed to serve the poor of this country reek with the odor of failure, despair, apathy and violence, with the result that far too many of these schools, particularly in the rural south and the urban north, are suffocating and choking. The litany of problems is too familiar to require recounting here: drop-outs, gangs, functionally illiterate "graduates," drugs, the crushing of cheerful curiosity, the deadening of the ability and will to learn. Parents send their children to school with high hopes, but when, faced with the continual failure of their children, they ask the schools what is wrong, they are told to go home and mind their own business.

Confronted by continual hostility, insensitivity or apathy, many Blacks have decided that retreat and surrender are the only courses open: they will do what they can for their own children, but for all those others, there is no more energy or time. Others may be seduced by the analyses of scholars and social diagnosticians, the Jensens and the Shockleys, who indicate that not much can be expected from people who are genetically inferior.[1] Those who have a pious bent ask: Didn't Jesus himself say that the poor would always be with us? Still others just want to rest; they are tired of the struggle. There is a great temptation to stop banging collective heads against the stone wall and be content with limited gains for some, stagnation and despair for those who are at the bottom of the heap. Ultimately, it is a matter of choice, whether to continue in the struggle for human renewal and development or to go separate ways in the misguided belief that an individual can make it alone, that the hopes, destinies and survival of other Blacks is in no way related to one's own.

FINANCE

Consider the financial crisis of the public schools. Those in large urban areas are approaching bankruptcy, if they are not bankrupt already. Along with so many other city services, the costs of education have moved well beyond the capacity of the municipal tax base—and the poor and the powerless are once again caught in the squeeze. It is ironic, however, that providing an adequate education may well be, in the long run, far less costly than allowing the school systems to decay and disintegrate.

Dr. Henry Levin, a Stanford University Professor, recently conducted a study for the Mondale Committee on Equal Educational Opportunity, and the results should be given very wide public attention.[2] Using failure to complete high school as his definition of inadequate education, he calculated the costs to the nation in lost income and in increased need for welfare services and criminal rehabilitation. Taking only the males aged 25 to 34 in 1969 who had not graduated from high school, he determined that the nation lost $237 billion dollars in income, and $71 billion in government revenues. But to have seen this group through just a high school education would have cost only about $40 billion.

Some very elementary arithmetic will indicate whether or not adequate financing of education is or is not a sound investment—even though no one has yet devised a way of measuring the differential in individual and social health. If an appeal to the American conscience does not produce results, perhaps the case can be made simply in terms of economics: scrimping on education is a dumb thing to do in terms of the Almighty Dollar. It must be noted, however, that calculations such as these and others, relating years of education to income received, are based on a rather important assumption: namely, that jobs will in fact be available for all those who seek them. Yet, high unemployment is a continuing problem of the economy; racism still prevents many minority group members from obtaining positions for which they are qualified; technology is eliminating routine jobs; and serious questions are being raised about the basic orientation of the economy (e.g., toward war and against ecology). All these factors muddy the simple equation of schooling and careers, yet they must be taken into account by those whose chief concern is education. Clearly, as was indicated earlier, education cannot be viewed in isolation: it is inextricably involved with each item on the social agenda.

The traditional basis of support for public education—the local property tax—is, however, finally being given serious examination. The California decision in *Serrano vs. Priest* rejects the property tax as the main source of educational revenue because reliance upon the property tax dictates that the quality of the school system is a function of local wealth.[3] It is a violation of the equal protection clauses of the Constitution, ruled the judge in that case, when the quality of a child's education depends almost entirely on the economic health of the community in which he happens to reside. The implications of that decision for Blacks and other minorities are clear, since most live in poor communities. The implications were not lost on the affluent either, and there will be strong opposition to a departure from past practice.

But even if new formulas are devised for allocation of educational funds, will it necessarily mean a boon to Blacks and other minorities? Equalizing per pupil expenditures across a given state may be appealing at first glance, but without careful calculation, the minorities and the poor may once again be shortchanged. Any formula has two parts: input is important, but there must be at least equal concern about output. If Blacks and other minorities are to be educated in a manner which will put them on a competitive basis with those from the wealthy suburbs, schools serving the poor and minorities may well require considerably higher allocations. As long as this society permits so many of its people to live in degrading circumstances, to suffer inadequate health services, to survive on the crumbs of a so-called culture which has systematically insulted and excluded them—as long as that situation continues (and there is little sign that massive reform of social conditions is imminent), then urban schools will *have* to be better staffed and equipped, more comprehensive than their suburban and affluent counterparts.

How can anyone in his right mind pretend that a youngster—no matter how attentive, how punctual, how well-behaved—who goes to a decaying school, is taught by inexperienced or hostile teachers, has no access to art or music or recreational facilities, has little or no example of encouragement to pursue a realistic career or college education—how can that youngster possibly compete? By the time he's out of elementary school, let alone high school, he's so far behind the starting line that it's ludicrous. Is that his *fault?* Is a racist society to continue in its comfortable illusion that it has had no hand in the screening out of minorities? Is it any wonder that so many Blacks and other minorities leave school before graduation? Graduation is no panacea, but in a credentialed society, a diploma opens doors.

The voucher plan is similarly a new development which, at first glance, shows promise of redressing some educational grievances. Unfortunately, it quickly shows fatal signs of having been conceived in the Utopian world of classical economics where the "invisible hand" will make sure that supply and demand balance neatly in a free marketplace. In the real world, unfortunately, things may not be so tidy. A family in North Philadelphia, in Pruitt-Igoe in St. Louis, or Lawndale in Chicago, may simply not be able to purchase with its voucher a quality of education even approximately what the affluent family in Scarsdale, New York or Winnetka, Illinois can buy. Voucher plans alone cannot make up for the years of neglect nor allow for the additional needs which poor, oppressed children bring to the schools.

It is important, then, to take careful note of the ferment surrounding educational finance, and to be as wary as ever of new proposals surfacing, whether for sources of revenue or for distribution. The value-added tax, for instance, which the President is contemplating as a stop-gap to avoid reform of the federal income tax, is a regressive tax which will be borne by consumers, not corporations. The Advisory Committee on Intergovernmental Relations is supposed to be looking into ways to counteract the regressive nature of this tax, but past experience indicates that one should not accept administrative proposals on faith alone. Warden has pointed out that one interesting by-product of the current discussions of the current discussions of the VAT may well be removal of educational legislation from the traditional Senate and House committees to the far less sympathetic Ways and Means or Finance committees.[4]

INNOVATIONS

For many concerned with the abysmal state of the public schools, hope seems to lie in one or another of the many new schemes for classroom or school reform. But frequently they pose more questions than answers. What about alternative schools? How does one distinguish among them? What evidence is there they provide the skills and the education needed to allow Blacks and other minorities to determine their own future options? Even more important, what are the sources of funding or financial support for these alternatives? Must they always operate on "soft money," while the bulk of tax revenues continue to flow to schools which have demonstrated their inability to educate, even in the most rudimentary way? Will these alternatives become convenient dumping grounds and enclaves for students, mostly Blacks, whom existing public schools have neither the skills nor the inclination to deal with on a regular basis?

A critical danger is the possible use of poor black children as "guinea pigs," particularly when the experiment is really meant to alleviate the private hang-ups of a few individuals. Informal classrooms, for instance, are almost everywhere touted as the lastest panacea for a host of educational woes. Like the little girl in the old nursery rhyme, when they are good, they are very, very good; but when they are bad, they are horrid. Informality, grooviness, and all the rest may become convenient covers for sloppiness and a general lowering standards. They mask the hard reality that nothing worthwhile, least of all a good education, is gained without discipline and hard work and while such innovations may in the short-run make schools happier places for some children, in the long run they may well become a new form of patronizing put-down: these kids aren't really capable of serious effort; so make sure they have fun.

Arthur Pearl, in his excellent article on the new informalism which appeared in *Social Policy* about a year ago, punctures

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Footnotes at end of article.

many of the balloons blown up by the informality advocates.[5] He does not deny that rigidity or irrelevance or coercion commonly characterize many public schools; but he cannot buy the prescription of those who would simply throw up their hands, turn schools over to kids, and abandon adult responsibility for leadership, guidance and teaching. The fact that some curricula are irrelevant, does not lead him, he says, to the conclusion that he cannot identify relevance and teach it. To quote Dr. Pearl: "There is a body of knowledge to be taught and a position to be taken through it, and supported by it, against parochialism, against poverty and misery." [6]

Equally damaging is the kind of rhetoric heard from some who try to persuade youth that some subjects are somehow foreign to black soul. Efforts to inculcate pride in black identity, to teach a more honest version of history, to recognize the drama and grandeur of the African past, are laudable and necessary as an antidote to years of dishonesty and racism and methodical suppression of ethnic identity and self-respect. But the needs of the black community for lawyers, doctors, engineers, planners, scientists and educators will not be met by young people, regardless of how committed they are to black development, who are not learning political science and chemistry and physics.

And finally, consider "de-schooling." What does that term mean to Blacks and other minorities? They have already been deschooled, deprived, de-motivated and, too often, dehumanized by the existing educational system. They don't need another vehicle to do to them better what too many educational institutions have already done very well indeed through the years.

Besides, this is a credentialed society, requiring diplomas, certificates, degrees and other stamps of approval to enter most of the more powerful and lucrative positions. While many of these credentials are meaningless in the more important ways or unnecessarily difficult to obtain, few can afford the luxury of ignoring them even while efforts to modify them are intensified. Blacks and other minorities don't need to invent new ways to be kept out of the system; that has been done for them by others who were experts. They want in, not out.

A more pragmatic way to attack the problem of non-education and inferior education is to force those institutions charged with the responsibility for educating to do just that: educate children and youth or get out of the way so others can get about their business. One should not be deceived by the new symbolic crusades. Eternal vigilance is essential if the poor and minorities are to avoid becoming victims of the diversions and blind alleys they have endured so long. White folks aren't about to pay for their education out of the goodness of their hearts. True educational equality should be argued and fought for, *not* as a favor or a sop, but as a sound investment in a healthy and viable society.

When appropriate courses of study and methods and techniques for black students are being debated, it might be well to examine more closely the examples set by many black colleges. Through the years, these institutions—starved for funds, struggling for survival, besieged on all sides by hostile, racist whites who wanted to keep Blacks ignorant and uneducated—took the products of inferior, segregated southern *and* northern schools and turned them into competent professionals and outstanding leaders. One of the reasons Blacks have been able to develop leaders in many fields is because these institutions existed. Unfortunately, Chicanos, Puerto Ricans and Indians had no such institutions in this country.

An innovation which has received far less publicity than some others, however, is one with extremely dangerous implications: the use of drugs to control the behavior of children in the classroom. Nat Hentoff, writing in the *Village Voice*, has produced a frightening indictment of the collusion among drug companies, doctors employed by school systems, and teachers.[7] Although only about 100 pediatric psychiatrists in the country are qualified to diagnose and treat the minimal brain dysfunction known as hyperkinesis, for which certain drugs have, in fact, proved helpful, preliminary investigation has revealed that thousands of school children have been placed on a regime of behavior modification drugs, without proper testing, without careful monitoring, and often in total disregard of parental concern and opposition. It should not be necessary to point out that the victims are frequently children of the poor and the powerless. Hentoff comments: "The so-called 'divergent behavior' is a desperate reaction to teachers and administrators who don't know what to do with kids who do not fall into their 'special ideology about discipline.' Unwilling to recognize their own deficiencies as educators, these school personnel, in alliance with some physicians, turn to drugging children as the 'easy' way to solve their own problems in a classroom." [8]

The proposals for innovation, for reform, for change are apparently endless in their variety. Some may be well-intentioned, but poorly conceived and executed. Some may cost so much that they can reach at best only a minute proportion of the children who would benefit from them. Some, like the drug therapy described above, may be actually malevolent and harmful to children. As with schemes for reform of educational finance, wariness and careful analysis should precede endorsement.

POLITICS

Another subject we must examine carefully is the politics of schools and education. The educational system of any country is one of the primary means of socialization for its citizens. Any society will attempt to inculcate within its citizens the basic values, philosophy, beliefs and traditions of the society through its schools, along with other institutions.[9] Community control of the schools is inevitably, then, like other school-related problems, an issue which is political in nature.

Community control is a topic which has upset educators all over the country, largely because of the potential ramifications of the New York City controversy of several years ago. It might be pointed out in passing that here is another interesting example—like busing—of American doublethink. When whites demand community control, it is regarded as logical, normal and appropriate. In fact, they don't need to demand it, because they have always had it! But once Blacks begin to talk about control, blood pressures sky-rocket, eyes bulge and people begin to see some dark devious plot being concocted by militants and revolutionaries. Derrick Bell of Harvard University Law School has put the issue in proper perspective. "The essence of community control," Bell says, "is the sense of parents that they can and do influence policy-making in their children's school in ways beneficial to their children.

"Parents in highly regarded suburban school communities have this sense, and in varying degrees, teachers and administrators in those schools convey and understanding that their job success depends on satisfying not the board or union but the parents whose children are enrolled in the school." [10] Or as John Smith of Howard University said more succinctly: "White schools are not 'better' because whites are superior, but because those responsible are required to act responsibly." [11]

Community control is clearly an understandable and worthwhile item on the Black educational agenda. The systematic favoritism for whites and planned inferiority for Blacks is too well documented to bear repeating. But when Black parents, driven to desperation by the continued refusal or inability of white-controlled school systems to educate their youngsters, talked about taking over, the attempts to suppress or subvert community control began. In Detroit and New York, where state-mandated redistricting and local boards have been established, the results have not given disenfranchised Blacks much to cheer about.

Marilyn Gittell, one of this country's major analysts of educational politics, sums up the problem by saying that "mere election of local boards is not a guarantee of a redistribution of power." She notes that professionals have seen to it that boundaries and election procedures were such as to assure continued control by the old forces; that in any case, organized groups—even those such as parochial parents with no direct interest in the public schools—are favored; and that local boards are limited to dealing with "at best minor housekeeping arrangements." [12] Barbara Sizemore's analysis of the Chicago Woodlawn School leads to similar conclusions: there the community board was simply an advisory group, recommending policies, not controlling much of anything.[13]

The critical issue, of course, in any discussion of community control is the definition of control. Is control simply a meaningless term whereby the downtown administration can keep the slaves content, a formula without substance, a device for decentralization of systems too massive for coherent governance? Control should mean power, nasty as that word may be: power to make decisions about staff and curriculum, and to make those decisions stick. Control means money to implement new programs, build buildings, hire personnel. Without power, without money, control is a fraudulent, empty slogan. It is crucial to deal with reality, not rhetoric.

Philip Meranto, who has noted with interest the paucity of political analyses of school governance, concludes that the only hope for rejuvenating urban school systems lies in greater Black representation in both legislative bodies and in school administration. "Only if Blacks are at least modernately successful in winning these battles will the quality of education in American cities be measurably improved," he writes. "The immediate past has demonstrated that the quality of education available to groups in American society is not unrelated to the political power of the various groups." [14]

The fact that Blacks have already become a majority in many cities (if not in the general population, certainly in the school population) argues for operation of the school system for the benefit of Black children. But merely because Blacks become a majority is no guarantee that things will improve. Financial support for basic services—education, transportation, welfare, housing—is slowly but surely being shifted from the local level to state and federal government.

As Blacks and other minorities approach or become the majority in urban areas, gerrymandering of political boundaries and metropolitan schemes proliferate in transparent attempts to dilute or deny political representation, once again, to these historically disenfranchised and powerless groups. There are other developments occurring which may well undercut any kind of meaningful community control. In New York State, for instance, the NEA and UFT have united to form one monolithic teachers organization. If dealing with the union in New York City was an impossible task for local boards, how can Blacks and other minorities hope to negotiate and deal with a statewide organization of over 200,000 members.[15]

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And it doesn't stop with teacher organizations. Increasingly there are calls for regional or interstate plans and programs—and no one can deny the need or good sense behind such appeals for transcending artificial boundaries. The problems of transportation or air pollution certainly do not respect political divisions. But what must be understood is that community control, in and of itself, may play itself out as another hoax on minority groups. Even assuming that they were able to get themselves together—organized, united, articulate—as a community or even city-wide group, what good would that do, if the action has moved to a higher level of government or if the resources are so pitifully few that nothing much can be accomplished anyway. One may be promoted from clerk to president of the bank, but the plush office will be a meaningless symbol if all of the depositors have taken their money and gone elsewhere.

Blacks and other minorities all have a lot to learn from participation in the decision-making process. Competence in governance—no more than in any other field—does not come overnight, and it may well be as some, including Barbara Sizemore,[16] have argued, that Blacks are still at a stage in their development as a people where separatism is a healthy and necessary phenomenon. But they must beware of still another rip-off. The question of community control requires caution, and eyes wide open to see what is being controlled and what resources are available to make the control effective.

In the Brown decision of 1954, separate schools were declared inherently unequal. Documentation of the inequalities had been provided by Bond, Caliver and others.[17] Sexton and Wise,[18] among others, have shown that schools serving the poor outside the south also received an unequal share of the resources of all kinds. What happened after 1954, however, was that many people, both black and white, assumed that mixing Black and white children in schools and classrooms would magically provide quality education. Few people confronted the hard realities of what quality education meant or would cost. Few dealt with the reality of racist teachers and administrators, rigid organizational arrangements, harsh disciplinary procedures unequally applied and the psychological violence visited upon Black children who would be bused to newly desegregated schools. Segregated schools had proved damaging, but the pain and anger of desegregated schools has been no less damaging in too many cases.

Samuel Etheridge, the National Education Association's director for teacher rights, has documented and publicized the scandalous treatment of Black teachers and principals in the South during this period of desegregation.[19] In the school year just past, Etheridge reports that 4207 Black educators were dismissed, demoted, assigned out of field or unsatisfactorily placed in five southern states. Needless to say, the horror did not end there. Students have also suffered their share of the penalties.

Literally thousands have been expelled, thrown out, physically brutalized and psychologically assaulted. A survey which covered less than ten per cent of all the school districts in the eleven Southern states uncovered these figures; 12,638 students suspended; 2,470 students arrested, and 22,978 students out of school for some reasons or other, including expulsion. Intimidation, violence and even murder has attended the Southern way of life. And yet there are other instances in which young people of both races have been able, with wise and patient adult guidance, to explore their misconceptions and fears and frustrations together, and to move on to respect and friendship, putting their elders to shame.

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The fact that Black school children and teachers are being systematically repressed or impoverished is not news. But when such developments occur as the consequence of implementing a goal—desegregation or integration—for which people have fought and died, it is depressing and alarming in the extreme. That many Blacks have turned away from the unequal struggle and begun to advocate separatism may be ironic, may seem a contradiction of much that has gone before, but it should hardly be viewed as a surprising development by the press or anyone else.

Black people didn't invent or create two separate societies. It was the Kerner Commission which warned of a polarized society, separate and unequal.[20] What can one expect when oppressed Blacks and other minorities watch their children emerge from school uneducated, unequipped and psychologically damaged. Tracking, testing, counseling, and guidance contribute to this and are viewed as means of keeping Black folks ignorant. Is it any wonder that people begin to say they will use any means necessary to see that their children are no longer dehumanized?

Yet understandable as these reactions may be, the focus must always be clearly on quality education. If that can be provided in desegregated or integrated schools, good. But—given the reality of housing patterns and the intransigent opposition to busing—it may well have to be provided, for many youngsters in the foreseeable future, in all-black schools. In either case, the ultimate goal must continue to be a truly open society, an open society in which all people can choose from among many options. Blacks have been fighting for options for more than 300 years; hundreds of thousands have given their lives in the struggle. Whether Blacks want their children in desegregated or integrated schools, they must have that right. This country was built in no small part by the sweat, blood and brains of Blacks. It is as much their country as other more favored groups, and they are entitled to all the rights, privileges and options available to the most favored of its citizens.

As Vernon Jordan and others have noted,[21] this period seems to be the end of the second reconstruction. The potential for violence and destruction which are building up in this country is no less than terrifying, not least because it is condoned, if not actually led, by the top executive leadership in the federal government. If the policies of this administration are not evil, they are at best stupid and shortsighted. This administration seems to have far more confidence than is warranted by history and the experience of human nature that "benign neglect" in racial conflict will somehow serve to appease white racists into a more broad-minded outlook. Apparently it has not yet learned that the quest for self-aggrandizement at the expense of other "inferior peoples" is an appetite which is never satisfied. Has the lesson of Nazis Germany been forgotten so quickly?

As early as February 1970[22] a top Presidential advisor was propounding the theory that the ship of integration had gone down and that the President would do well to disassociate himself, before it cost him more votes, from a struggle which was bound to fail. It seems obvious that he has taken that advice. Thousands of citizens, black and white alike, have agonized and worked toward the goal of equal opportunity, recognizing that their common safety and health—to say nothing of the moral and Constitutional obligation—required no less. Now they are confronted by the stunning and sorry spectacle of a leader who panders to the worst elements in the individual or collective American mentality, and inflames racist and selfish desires or fears in a classically demagogic bid for re-election. The President has talked a great deal about honor in recent years, but it is extremely difficult to comprehend how he defines it. By submitting Constitutional safeguards to popular vote? Undercutting the duty of the Supreme Court to protect the Constitutional rights of minorities? Proposing legislation which would return this nation not simply to the thinking of *Plessy vs. Ferguson*, but even further back to the concept expressed in the Dred Scott decision: "... (Negroes are) altogether unfit to associate with the white race ... and so far inferior they (have) no rights which the white man (is) bound to respect...."

The nation needs people who, in view of these disheartening and frightening developments, are committed to firm and vigilant pursuit of an open society, including the desegregation of the schools and the means to make desegregation possible. This is not to ignore the fact that many schools are now, and will continue to be, all or almost all black: the children in those schools cannot be penalized any longer for an accident of geography. But there are examples of excellent black schools from which to learn. The goal remains: a national educational system in which black and white and indeed all children will learn from one another, and in spite of one another, what life in a world of diversity and change is all about.

HIGHER EDUCATION

Equally serious problems face Blacks who wish to obtain undergraduate, graduate or professional training. But first, the topic of higher education for Blacks should be placed in historical perspective. For many years, of course, black colleges comprised virtually the sole means for Blacks intent on obtaining post-secondary education. Indeed, as late as 1968, almost 80% of the baccalaureate degrees awarded black students were granted by black colleges, and almost 50% of the graduates or professional degrees.[23] Earl McGrath emphasizes, in the initial pages of his study of Negro colleges, that if young black people are "to receive *any* higher education, the institutions now primarily serving Negroes must, for a considerable span of years, provide it."[24]

People may argue, as they do, about whether these colleges were founded to assist newly freed blacks assume their rightful role in a free society or to reinforce segregation and subservience. The fact remains that black colleges have performed heroically in providing education for generations of black people and that they have done so in the face of overwhelming odds against their very survival. To this day, they have been starved for funds—and have, therefore, had poor facilities and low salaries. They have had to engage in enormous amounts of remedial work because many of their students came from schools organized around planned inferiority and academic deprivation. And make no mistake about it: it was planned, overtly in the dual school system in the South and covertly in the ghettos of the North. The deliberate design has been alluded to and documented by such diverse writers as Ambrose Caliver, Horace Mann Bond, Henry Allen Bullock and in the monumental work of Gunnar Myrdal.[25] Dubois, again the visionary, said years ago that:

"The Negro Race, like all races, is going to be served by its exceptional men. . . . Now the training of men is a difficult and intricate task. Its technique is a matter for educational experts, but its object is for the vision of seers. If we make money the object of man-training, we shall develop money-makers, but not necessarily men; if we make technical skill the object of education, we may possess artisans but not, in nature, men,"[26]

But most whites, especially the philanthropists, were not interested in the training of "men" and thus a tragic cycle was initiated.

Students in black colleges and even the alumni have rarely been in a position to support them, through high tuitions or generous bequests. Financial weakness in the colleges and lack of demand for trained Blacks in a segregated and discriminatory so-

ciety combined to limit their offerings to "safe" fields, like education, social work and religion. Even the few professional schools were limited to providing training for those careers which could be pursued in the black community: medicine, law, theology. The tragic cycle was repeated over and over: ambitious young blacks had no opportunity to study advanced science or business administration, and the white graduate schools or employers were provided with an easy "out" for their lack of black students or employees. But regardless of their crushing problems, black colleges did and continue to provide the vast majority of educated black leaders. From their alumni have come not only the well-known spokesman for the whole spectrum of black consciousness, but also the quiet supporters for the thousand-and-one projects and programs attempting to gain freedom, opportunity and power for black people.

Look at what black institutions have done, for instance, in providing professional training. Now it is quite clear that Blacks are still under-requested in all the higher professions. For instance, only two percent of this country's practicing physicians are black. The proportion of attorneys is extremely unequal: one for every 750 whites, but only one black attorney for every 5,000 blacks. The story is similar for other post-baccalaureate programs: only 1.72 percent of graduate enrollment is black, and of all the Ph.D.'s granted between 1964 and 1968, only .78 percent went to Blacks. But without Meharry and Howard, the record would be unimaginably worse. These two are still providing the vast majority of black doctors and dentists. The Carnegie Commission on Higher Education reports that "in 1968–69, out of 35,000 M.D. candidates in the nation, 393 were at Howard and 269 at Meharry. Less than 1 percent of the students in other medical schools were black . . . out of 15,408 dental students enrolled, 136 were at Meharry and 310 were at Howard. Only 21 of the 59 dental schools, other than Howard and Meharry, had any black students and most of these had only one." [27] Despite the fact that these figures are beyond dispute, at a recent social event one of the affluent white "liberals" present refused to accept their validity. He offered no refutation other than his contention they were inaccurate! He could not accept the fact that in the 1970's black institutions were still carrying the major burden of providing black professionals in law, medicine and dentistry, not to mention basic undergraduate education for Blacks.

While the gallant efforts and real successes of the black colleges in the past should be appreciated and receive endorsement, it must be noted that the desegregation gradually taking place in higher education has its price. For instance, the integration of institutions which were formally predominantly black poses the danger of reducing rather than expanding access of black youth to higher education. The Carnegie Commission says this, for instance:

Among historically black colleges, three recently reported that more than 50 percent of their students were white: Bluefield State College, 69 percent white; West Virginia State College: 73.3 percent white; and Lincoln University, Missouri, 50.8 percent white." [28]

Similarly, Maryland State College became part of the University of Maryland, and nine predominantly Negro junior colleges in Florida were closed in order to integrate their students into white junior colleges. Before one can determine whether these integration efforts represents advancements of the black cause, he should inquire what happened to the black young people who might have gone to Bluefield State or to Lincoln University, Missouri. Were opportunities available to them in predominantly white colleges?

The "black brain drain" is another cause for concern. The scrambling by many sectors of society for black students and professionals is certainly a refreshing change: but one must guard against satisfaction with mere tokenism. The recruitment of topnotch students or professors from black colleges to white ones may represent a net loss, not gain. The installation of a Black as a special assistant in an otherwise white office is too frequently windowdressing at best, and at worse may serve as an excuse for avoiding the need for basic institutional change to meet the needs of the black community. The days for basking in the reflected glory of the achievements of one or two have long since gone: opportunity must be available to every one.

As recently as 1969, more than six percent of the white population (25 years or older) had graduated from college, as opposed to only three percent of the Blacks. More than half the white population of this country had at least a high school diploma, but less than one third of the black population had graduated from high school.[29] Has there been an improvement in this situation? It's hard to say. Figures on current enrollment of Blacks in colleges and universities vary from a high of 484,000 reported (1970) by the Census Bureau to a low 356,836, reported by the HEW Office of Civil Rights. One can only speculate about the disputed 125,000 bodies. Indeed, Elias Blake, in his paper prepared for the National Policy Conference on Education for Blacks last April, states "Despite all the publicity on increases, no studies of any comprehensive nature exist with solid answers to these questions . . ." [30] (i.e., of how many blacks are enrolled, in what kind of programs, leading to what). Equally mystifying is the exact proportion of Black youngsters in predominantly black colleges or in predominantly white, be they private or state-supported. The Southern Education Reporting Service conducted a survey of the 100 state universities and land-grant colleges, and found that (with the exception of these institutions which were originally all black) the percentage of black students ranged from a high of not quite 3% in institutions in the Midwest to a low of less than 1½ in the Far West.[31]

It is not just mathematical inaptitude that makes one suspicious of figures: it is the all-too-common phenomenon of non-existent, scrappy or inconsistent data which, in this age of computers, is hard to understand or excuse. But of course it should not be necessary to note that even if there were an accurate clear picture of black student enrollment, one would still need to ask the even more important questions about quality and productivity.

The efforts of some colleges and universities to expand access to higher education to minority youth have been lauded by a few, but they have triggered anxiety and outright opposition among many more, including the Vice President. The late Whitney Young, Jr. and Ermon Hogan provided an excellent response to those who, "when they grumble about 'lower standards' are really using code terms for keeping blacks out." They write: ". . . it has been clearly demonstrated that now traditional terms of admission predict little or nothing about what a minority student will do in college or about his potential after graduation. At the same time, it has been clearly shown that lack of motivation is not a problem where genuine opportunity exists; academic skills can be acquired; and persons once thought uneducable at the college level, based on high school records, College Board test scores, and cut-off points, are now succeeding in their studies. . . . The best way of determining whether a potential student is capable of college work is to admit him to college and evaluate his performance there." [32]

Open admissions, like so many other highly publicized new programs, cannot be regarded as the solution to the disproportionate representation of minorities and the poor in higher education. Indeed, some serious questions must be raised about certain programs which permit students to enter but do not provide the supportive services, counseling, remediation or financial backing which will make it possible for them to remain. Similarly, the proliferating community colleges must be carefully watched to see whether, as has been charged by some,[33] they are in part becoming a convenient device to screen out applicants for the universities and direct them into lower-status and even dead-end jobs.

The enormous expense of a college education is well-known, and cost alone will continue to bar the college door to many aspiring poor youngsters whose families are totally unequipped to help them. It is doubtful that, even with the emergence of new Federal aid to higher education, this country has yet made a commitment to ensuring that all its talented young people, regardless of their social or economic circumstances, will have an opportunity to engage in advanced study.

Even if adequate financial support were assured, very serious problems remain. The pressure on black students, particularly on the recently desegregated campuses, are extremely severe. Too many black youngsters, unfortunately, are confused, misled, and finally demoralized by self-proclaimed leaders who subsist on an ideology or program based on half-truths and a single strategy. Trying frantically to get their bearings, these youngsters have few opportunities to obtain sympathetic and sane advice and examples, and they fall prey to fools and charlatans. One black college president tells of looking out his window late one night to see one of his better students tearing up the grass on the college green. When the student was invited in and asked what he was doing, he replied: "I'm planting food to feed all the hungry brothers and sisters." Whether that particular trip was caused by drugs or something else is beside the point. What matters is that some of the brightest young people today are being bombarded with false information, conflicting theories and misleading signals without any corresponding method for evaluating them or sorting them out.

A very disturbing development on some predominantly white campuses is the establishment of special colleges for open admissions students, Blacks, Chicanos and Puerto Ricans. These colleges are separate, identifiable and often run by Blacks and other minorities. But if these colleges become the repositories for all of the disenfranchised and oppressed, what of their future? How much money will be available for them when Blacks, Chicanos and Puerto Ricans go out of style? What about the responsibility of existing departments and colleges to change their staffing patterns and curricula? Permitting or encouraging such separatism may become a part of the new racism: give them their thing and let them do it; we will be done with them, and good riddance. If quality is not established and maintained, if staff is not competent and committed, if skills and education are not directed to careers of the future, Blacks and other minorities will soon realize that they have been had, put in a trick bag once again, and ripped off in the name of progress.

Art Thomas, Director of the Center for the Study of Student Rights and Responsibilities, summed up the challenge, facing Blacks concerned about young people. "Black people have to realize," he said, "that one white dude can come into an audience of 2,000 Black people and act like he's in the majority. That's a very powerful thing, when a white racist society has conditioned a white dude to believe he is superior, to act like he's in the majority even when he's in the minority. Black people, if

Footnotes at end of article.

we are going to survive, have to develop within our children the belief that they are beautiful, that they are brilliant, and that they can do anything they make up their minds to do. If we can educate our children at an early age to believe in themselves, the question of integration or separatism will not be important because of Black pride. When you can put one Black child in a school with one thousand white children, and he knows he is powerful, that he is brilliant, then the thousand white children will not affect his confidence. By the same token, you can have one thousand Black students in a school together who live, trust, and respect each other, and they will know that they are together and can accomplish anything they set out to accomplish." [34]

Learning how to deal with overt and covert racism may be depressing, frustrating and difficult in the extreme. But it is an essential part of the educational experience for all minority young people. If they are to deal effectively with whites in later life, as they must, they might as well begin on the campuses. They cannot do so by retreating to the illusory havens promised by separate courses of study, dormitories or other exclusive minority programs. Harold Curse, that perceptive and biting critic of the Black intelligentsia, lays bare the hollowness of much of the separatist rhetoric. "The Negro intellectual," he writes, "must deal intimately with the white power structure and cultural apparatus, and the inner realities of the Black world at one and the same time . . . he cannot be absolutely separated from either the Black or white world." [35] Calling on radical Blacks to develop "a social theory based on the living ingredients of Afro-American history," [36] he accuses them of disdaining profound theoretical and scientific examination of historical in favor of "passion, emotionalism and prejudice." [37] But while they are caught up this fervor, he warns, the white power structure will be busy doing their theory and practice for them.[38]

Even earlier, W. E. B. DuBois had defined the Black situation: "Once and for all," he wrote, "let us realize that we are Americans, that we were brought here with the earliest settlers and that the very sort of civilization from which we came made the complete absorption of Western modes and customs imperative if we were to survive at all; in brief, there is nothing so indigenous, so completely 'made in America' as we." [39] And Imamu Baraka, still known to many as Leroi Jones, adds: "The paradox of the Negro experience in America is that it is a separate experience but inseparable from the complete fabric of American life . . . In a sense, history for the Negro before America must remain an emotional abstraction." [40] Such words are sobering but much-needed as restraints to those who are tempted, however understandably, to escape into an all-black world.

Education is a complex topic: almost every issue raised in these few brief pages—and many others to which no reference has been made here—could well become the sole topic of an article, a chapter, even a book. Exactly because of this complexity, it is always tempting to put on blinkers, to focus too narrowly on an immediate problem, to ignore the annoying ramifications of events in tangential fields. But simplistic analysis, simplistic solutions, will not do. Equal opportunity in education will not become a reality overnight—even if funding increases drastically, even if the busing question is equitably resolved, even if teacher training is improved, even if admission to college is guaranteed to all who wish to apply. Suffice it to say there is work to be done, and work enough for everyone who seeks to forward the twin causes of quality and equality.

Peter Drucker has some astute comments on the current educational crisis: "The school is not in crises just because it is suddenly doing worse. Today's school does no poorer a job than it did yesterday; the school has simply done a terribly poor job all along. But what we tolerated in the past we no longer can tolerate . . . Rather the school has suddenly assumed such importance for the individual, for the community, for the economy, and for society, that we cannot suffer the traditional, time-honored incompetence of the educational system . . . Today, access to careers, to most opportunities, and to education is through the school. We expect of the school—and it is a new expectation that no school has met before—that most if not all students will really learn something . . . We expect a person to find in school his basic experiences and the knowledge foundation for his life . . . (we) depend on the diploma, so we rightly demand that the schools perform better." [41]

But the clouds of racism and reaction to earlier gains are gathering and loom ominously over any discussion about improving education. Those who have read Sam Yette's book, The Choice,[42] whether they agree with him or not, will have some notion of the possible dimensions of the storm. What, for instance, of recent judicial decisions, such as the Supreme Court's action in permitting juries to reach majority, rather than unanimous verdicts in cases tried in state courts? Or its upholding of the rights of private clubs to maintain restrictive practices, even while they operate under liquor licenses granted by the state?

What of the psychologists and others who suggest reconsideration of theories of genetic inferiority or predict an increasing role for an elite meritocracy? What of the social analysts who depict the "pathological" condition of the Black family, or intimate that a certain segment of society is destined (one can almost hear "predetermined") to remain in squalor or ignorance? What of the consolidation of power by organizations who oppose participation by the less powerful, who care nothing for the views of poor or minority groups and communities? None of these developments is irrelevant to the concerns of those who wish to improve education and increase opportunity.

Yet first on the educational agenda must always be the definition and redefinition of what is meant by "quality." Faddists and hucksters are ever eager to sell panaceas, to advocate the substitution of "pop" Shakespeare for the genuine article, to substitute grooviness for hard work and discipline (or, as someone has felicitously put it, to "grant absolution even where none was sought"). There is no substitute for exposure to the riches of the past—not only the African or the Spanish past, but the entire range of thinkers and civilizations. Only thus will the young be instructed in their human potential, even while they learn to moderate the arrogant pretensions of so much modern ideology.

Good education depends, too, on exposure to adults—not simply teachers, but many adults who will counsel, encourage, advocate—adults who provide models of commitment and of integrity by living out in their own lives what they presume to teach young people. And quality education demands the provision of many options, alternatives and choices. It is—or should be—well known by now that learning is a life-long process which varies in rate and style from one individual to another. Yet one unfortunate consequence of universalizing education has been the equation of learning with school, as well as the subjugation of natural curiosity and interest to "professionally" defined standards of progress and behavior and attitude in the classroom.

Despite the confusion, dislocation and turbulent change which will continue to impede the halting progress of this society toward realization of its dream, there is some hope. The current liberation movements—Black, female or youth—may prove capable of liberating everyone from the bitter residue of past failure and present fear. The demands, for instance, being made by many Blacks—for quality education, for accountability by teachers, for full funding, for desegregation—are not narrow and self-serving. They are needed by all segments of society, and all segments of society—rich, poor, black, white—will benefit if they are met.

But it will not be easy, in a time of bitterness and frustration, to remember to convince others that the cause belongs to everyone. The most important things for Blacks to remember is that the struggle is about survival as human beings. In these difficult days and in the more difficult tomorrows, the temptation to strike out at each other for perceived differences in tactics and strategy will bear heavily upon them. It is imperative that they resist and actively oppose such tendencies in themselves and in others. Neither pointless violence nor abject surrender will serve, nor will idolizing or romanticizing of Black leaders.

"Malcolm X," writes a perceptive member of the Institute of the Black World, "became in his lifetime the quintessence of a free man. . . . If we are serious about the fundamental personal and structural changes which are necessary for Black people to live, then we cannot fail to take Malcolm as our model. In saying that, we are not focusing here on a specific political methodology for change. Malcolm is the prime example of what we must do if we want to prepare ourselves, not only for the struggle for freedom, but for the possibilities inherent in freedom itself. Malcolm's crucial decision, as a member of an oppressed people, was to refuse to accept the limitations imposed on him by the conditions of oppression. . . . The willingness to expose one's life to the merciless glare of truth and to make whatever changes truth demands, . . . this is the epitome of a truly religious, truly political man. This was Malcolm, and it must be us." [43]

Blacks are a humane and loving people, they care about each other. Were this not so they would have long since perished under the weight of over three hundred years of oppression. Their ability to continue to struggle has been sustained by their basic humanity, their ability to remain humane through centuries of physical and psychological violence.

As that humanity has sustained them so they must now zealously nurture and continue to develop it. Blacks—like other minority groups—do not have to agree on everything, nor should they expect agreement on all things. Unity, not uniformity must be the goal. They cannot make the fatal mistake of adopting the attitudes and behavior of their oppressors. Name calling and labeling have little place in the struggle; they must look at one another in terms of what each is doing to advance the program of Black survival and development. If the brother or sister is on the case, moving the agenda forward, right on! If they are not, they can be helped to join the struggle for survival. There really is no viable choice in this regard: the survival and development of each Black man and woman are intimately, inextricably and inevitably linked to the fortunes of all Black people, and ultimately to the fortune of the human race.

FOOTNOTES

[1] Berkeley professor Arthur R. Jensen's article, "How Much Can We Boost I.Q. and Achievement?" which touched off a continuing storm of controversy, appeared in the *Harvard Educational Review*, Summer, 1969. William Shockley, a 1956 Nobel Prize winner and Stanford professor, is "Dysgenics, Geneticity, Raceology: A Challenge to the Intellectual Responsibility of Educators," *Phi Delta Kappan*, January 1972.

[2] Henry M. Levin, *The Costs to the Nation of Inadequate Education*, a report prepared for the Senate Committee on Equal Educa-

tional Opportunity (Washington: U.S. Government Printing Office, 1972).

[3] The California State Supreme Court decision in *Serrano vs. Priest* in the fall of 1971 was followed by similar rulings by a U.S. District Court Judge in Minnesota, by a Federal court in Texas, and by the New Jersey State Superior Court. See, for instance, *Education U.S.A.*, September 13, 1971; October 25, 1971; January 10, 1972; and January 31, 1972. See also, e.g., Joel S. Berke, "The Current Crisis in School Finance: Inadequacy and Inequity," *Phi Delta Kappan*, September 1971.

[4] Memorandum to Ruby Martin, dated February 7, 1972, prepared by Richard Warden of the Washington Action Research Council for the National Policy Conference on Education for Blacks.

[5] Arthur Pearl, "What's Wrong with the New Informalism in Education?" *Social Policy*, March/April 1971, pp. 15–23.

[6] Pearl, p. 18.

[7] Nat Hentoff, "Drug-Pushing in the Schools: the Professionals," *The Village Voice*, May 25, 1972, and June 1, 1972.

[8] Hentoff refers to several earlier accounts of this phenomenon, including "Federal Involvement in the Use of Behavior Modification Drugs on Grammar School Children . . ." testimony before the Gallagher House Subcommittee, and other material (Washington: GPO, 1970); a report of an HEW conference in January 1971, reprinted in *United Teacher*, April 25, 1971; "Effects of Amphetamine Therapy and Prescriptive Tutoring on the Behavior and Achievement of Lower Class Hyperactive Children," *Journal of Learning Disabilities*, November 1971.

[9] See, for example, the work on this subject by some of the great sociologists: Max Weber, *The Theory of Social and Economic Organization* (New York: Oxford University Press, 1947); Emile Durkheim, *Moral Education: A Study in the Theory and Application of the Sociology of Education* (New York: Free Press of Glencoe, 1961); Karl Mannheim, *Essays on the Sociology of Culture* (New York: Oxford University Press, 1956).

[10] Derrick A. Bell, Jr., "Integration—Is it a No-win Education Policy for Blacks?," an unpublished paper prepared for the National Policy Conference on Education for Blacks, 1972, p. 18.

[11] John W. Smith, "Some Afterthoughts Concerning the National Policy Conference on Education for Blacks," an unpublished paper, April, 1972, p. 3.

[12] Marilyn Gittell, Statement to the Mondale Committee (Equal Educational Opportunity) July 14, 1971.

[13] Barbara Sizemore, Statement to the Mondale Committee, July 17, 1971.

[14] Philip Meranto, *School Politics in the Metropolis* (Columbus, Ohio: Merrill, 1970), pp. 157–8.

[15] Fred M. Hechinger, "Muscle at School and on Campus," *New York Times*, April 30, 1972: Nat Hentoff, "The Biggest Teacher of Them All," *The Village Voice*, April 27, 1972.

[16] Barbara Sizemore, "Is There a Case for Separate Schools?" *Phi Delta Kappan*, January 1972.

[17] Horace Mann Bond, *The Education of the Negro in the American Social Order* (New York: Prentice-Hall, 1934); Ambrose Caliver, *Availability of Education to Negroes in Rural Communities* (Washington: GPO, 1936), *Education Influences Affecting Graduate and Professional Studies* (Washington: Federal Security Agency, Office of Education, 1949); Harry S. Ashmore, *The Negro and the Schools* (Chapel Hill, N.C.: University of North Carolina, 1954.)

[18] Patricia Cayo Sexton, *Education and Income* (New York: Village Press, 1961); Arthur E. Wise, *Rich Schools, Poor Schools* (Chicago: University of Chicago Press, 1968).

[19] Figures taken from the National Education Association's draft of a proposed "Program for Displaced Educators and Students," 1972. See also, for example, Andrew Barnes, "Study Cites Loss of 30,000 Black School Jobs," *Washington Post*, May 19, 1972.

[20] *Report of the National Advisory Commission on Civil Disorders*, Otto Kerner, Chairman (New York: Bantam Books, 1968).

[21] Vernon E. Jordan, Jr., Executive Director of the National Urban League in a speech of the Commonwealth Club, San Francisco, California, April 7, 1972.

[22] Patrick J. Buchanan, memorandum to the President, written in February 1970 and published in *Harper's*, June 1972.

[23] Elias Blake, Jr., "Future Leadership Roles for Predominantly Black Colleges and Universities in American Higher Education," *Daedalus*, Summer 1971 (Vol. 100, No. 3), p. 746.

[24] Earl J. McGrath, *The Predominantly Negro Colleges and Universities in Transition* (New York: Teachers College Press, 1965), p. 5.

[25] Bond, Caliver, *op. cit.*; Henry Allen Bullock, *A History of Negro Education in the South From 1619 to the Present* (Cambridge, Mass.: Harvard University Press, 1967); Gunnar Myrdal, *An American Dilemma* (New York: Harper and Bros., 1944).

[26] Quoted by E. Franklin Frazier, *Black Bourgeoisie* (Glencoe, Ill.; The Free Press, 1957), p. 62.

[27] Carnegie Commission on Higher Education, *From Isolation to Mainstream: Problems of the Colleges Founded for Negroes* (New York: McGraw-Hill, 1971), pp. 31–32.

[28] *Ibid.*, p. 8.

[29] Levin, Table 2, p. 8.

[30] Elias Blake, "Higher Education for Black Americans: Issues in Achieving More Than Just Equal Opportunity," unpublished paper prepared for the National Policy Conference on Education for Blacks, p. 4.

[31] John Egerton, *State Universities and Black Americans* (Atlanta: Southern Education Foundation, 1969).

[32] Whitney M. Young, Jr. and Ermon O. Hogan, "Response to 'Spiro T. Agnew on College Admissions,'" College Board Review, Summer 1970.

[33] See, for instance; Arthur M. Cohen, "Stretching Pre-College Education," and Alan Wolfe, "Reform Without Reform: The Carnegie Commission on Higher Education," *Social Policy*, May/June 1971.

[34] Informal remarks at a meeting of the National Urban League's Advisory Council on Education, April 1972.

[35] Harold Cruse, *The Crisis of the Negro Intellectual* (New York: William Morrow, 1967), pp. 451, 452.

[36] Cruse, p. 557.

[37] Cruse, p. 558.

[38] Cruse, p. 560.

[39] *W. E. B. DuBois: A Reader* (New York: Harper & Row, 1970), p. 11.

[40] LeRoi Jones, *Home* (New York: Morrow, 1966), p. 11.

[41] Peter F. Drucker, "School Around the Bend," *Psychology Today*, June 1972, pp. 49–50.

[42] Samuel F. Yette, *The Choice: The Issues of Black Survival in America* (New York: Putnam's, 1971).

[43] Unsigned column, "Malcolm Revisited," The Philadelphia Tribune, May 30, 1972, p. 15.

LEGISLATION FOR THE ELDERLY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am introducing legislation today to implement two of the recommendations of the 1971 White House Conference on the Aging.

The first bill H.R. 16492, would encourage family contributions to elderly relatives by allowing a taxpayer to take an exemption for each relative, 62 or more years of age, to whom he gives $1,500 or more in support in a taxable year. This would mean a reduction in one's taxable income of $750 for each qualifying relative. Generally, the persons affected would be parents, grandparents, immediate aunts and uncles, and brothers and sisters who are at least 62 years of age. Presently, a taxpayer can claim such an exemption if contributing over half of a dependent's support. My bill would simply enable a taxpayer to meet the support test, in the case of an elderly relative, by contributing $1,500 or more to his or her support.

The second bill, H.R. 16493, amends the Social Security Act and provides for the payment of attorney's fees incurred by an individual who successfully challenges a decision to deny, reduce or limit Federal or State benefits, such as medicare, medicaid, old-age assistance, and disability insurance. This means that if a person wins a case before a Federal or State agency administering these programs, or in a court, the agency involved would pay the attorney's fees rather than the beneficiary. Today, even if a person's challenge is upheld, his attorney's fees are subtracted from the benefits awarded him.

These bills are simple but they affect two areas that work particular hardships on the elderly today. One is the basic problem of adequate income for our senior citizens. Family support and care of elderly relatives should be encouraged; H.R. 16492 would do this by giving some tax relief to families who undertake this responsibility.

H.R. 16493 amending the Social Security Act corrects a failing in a law which, through its many programs, affects a great percentage of our elderly population. If a person can successfully demonstrate that an agency has made a mistake in reducing, limiting or denying certain benefits, then the burden of correcting that error should not lie with the claimant, but rather with the agency responsible for the mistake.

Mr. Speaker, I hope that these bills will receive favorable consideration by the Congress as soon as possible.

IT IS TIME FOR THE CONGRESS AND THE ADMINISTRATION TO PROTECT THE AMERICAN PUBLIC AND DEMAND REFORM OF THE FEDERAL RESERVE SYSTEM

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Congress of the United States is failing to do its duty—its constitutional responsibility—on monetary issues.

The Nixon administration—fearful of alienating its big banker allies—is failing to carry out its responsibility to control the Federal Reserve System in the public interest.

Mr. Speaker, the Federal Reserve System is the only agency in this Federal establishment which is able to spend money freely—public money—without audit and without any type of review by either the legislative or executive branches. The public—because of the ac-

quiescence of the Congress and the administration—has absolutely no protection.

The Federal Reserve System controls at least $4 billion of public funds annually and there is no one in the Federal Government—not the General Accounting Office, not the President, and not the Congress—who pays any attention to where this money goes. As public servants, and as duly-elected representatives of the people, we cannot defend these practices. The Congress, despite its timidity in the face of the bank lobbyists, had better wake up and start protecting the American public in this area.

Mr. Speaker, I cannot imagine a single Member—be he a Democrat or Republican—who would condone some of the expenditures which we know have gone on within the Federal Reserve System.

If the Department of Commerce spent $13,000 to pay the moving expenses for one of its employees, most assuredly the official who allowed the expenditure of such funds would be removed from his job and possibly prosecuted for misappropriation of Federal funds.

Or if the Department of Housing and Urban Development paid the babysitting costs for certain employees while they entertained visiting dignitaries, there would certainly be a congressional investigation into the incident.

And if the Interstate Commerce Commission paid thousands of dollars a year for membership dues in highway lobbying groups, there would certainly be newspaper stories in every paper in the country regarding this illegal expenditure of taxpayers' funds.

Yet every day the Federal Reserve System, its 33 banks and branch banks, spends money on just such items as these, and no one is held accountable for these expenses. Nor is there any prosecution for the misappropriation of taxpayers' money.

In 1964, the Banking and Currency Committee in connection with an overall review of the Federal Reserve System examined the expenditures of the Federal Reserve System and found a great waste of taxpayers' money. Again in 1969, the committee looked into the expenditures and found equally shocking examples. Presently the staff of the Banking and Currency Committee is reviewing the System's expenditures for 1971. And while the full review has not been completed, there is every indication that the Federal Reserve System is continuing to spend money in a way that would land any other official in Government in jail if he were responsible for similar expenditures.

The latest preliminary review shows for example, that one Federal Reserve bank spent more than $10,000 last year in dues to various organizations. Although the Federal Reserve System has finally agreed with me that membership in the American Bankers Association and related State banking associations is clearly a conflict of interest, this bank spent more than $7,000 of the taxpayers' money last year for membership in such banking groups as Robert Morris Associates, Bank Administration Institute, and the American Institute of Banking.

In one instance, a Federal Reserve bank paid out $13,629.78 in moving expenses to relocate its new President.

Mr. Speaker, when the Banking and Currency Committee staff in 1969 reviewed the expenditures of the Federal Reserve System, an investigator from the General Accounting Office worked along with the staff. After studying carefully a total of nearly a million dollars of expenses, about $588,200 was expended by the Federal Reserve banks for purposes which were either questionable or not considered allowable under Government regulations. Not included in that figure was an additional $132,000 for which there was no explanation given by the Federal Reserve bank for the expenditures, thus making it impossible to determine whether or not these were legitimate expenses.

PAID-UP BONDS OF $71 BILLION ARE AT THE HEART OF THE FEDERAL RESERVE'S PROBLEMS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, there are in the Federal Reserve System serious questions about the expenditure of public funds and certainly this is an area where the Congress has an overriding responsibility. Many Members of this House have been extremely vocal in criticizing illegal and questionable expenditures of other agencies and departments of this far-flung Government. But we have a deafening silence from Members on the question of the Federal Reserve's footloose and fancy-free operation. Why is this?

Of course, there are other questions—even more basic—than the misuse of public moneys. The Federal Reserve is at the heart of our economic system and its decisions determine whether people have jobs, whether businesses prosper, or whether our cities and rural areas have a chance. In short, the day-to-day lives of every American citizen are affected by the decisions at the Federal Reserve System. This is why it is so important that the elected representatives have a say in what happens in this all-important agency.

The secret to the Federal Reserve's freedom from accountability is the $71 billion of bonds which reside in the portfolio of the Federal Open Market Committee in the New York Federal Reserve Bank. These are bonds that have been paid for once by the credit of the U.S. Government. The Federal Reserve, instead of canceling the bonds when they are purchased in the open market, continues to maintain them in its portfolio and to demand interest payments from the U.S. Treasury. No one continues to pay interest on a mortgage once it has been paid for, but the U.S. Government ignores this principle and continues to pay interest to one of its own agencies—the Federal Reserve System.

Some might dismiss this as simply a question of bookkeeping, but it is much more serious than this. It is the device that allows the Federal Reserve to thumb its nose at the people and their elected representatives. This was what the late Speaker Rayburn was referring to when he said in 1959:

> I have been forced to the conclusion that the Federal Reserve authorities . . . consider themselves immune to any direction or suggestion by the Congress, let alone a simple expression of the sense of Congress.

In an age which demands candor and at a time when politicians everywhere are being sharply criticized for the fiscal confusion surrounding our Federal Government, it is regrettable that the Federal Reserve is allowed to maintain—and draw interest on—Government securities which have been paid for by the credit of the United States. This is fiscal fiction of the first order.

This system is absurd. This system deludes the American public. This system enables the Federal Reserve to be what the Congress never intended—an agency free of control and supervision.

It does the Congress no credit to allow these absurdities to continue.

This fiction is maintained because the Federal Reserve has developed into a superagency with a superpowerful lobby behind it. The banking community—and its big business allies—want the Federal Reserve System to be free to serve the banking interests full time without worrying about any public interest strictures which the Congress might insist upon.

The Federal Reserve will always be able to serve the interests of the banking and big business community first so long as the Congress continues to allow the System its own independent source of funds by maintaining the fiction of these paid-up bonds.

Without these bonds, the Federal Reserve System would be like any other agency of the Federal Government. It would have no independent source of money and it would be required to come to the Congress and to undergo annual appropriations processes just like the Department of Health, Education, and Welfare; the Agriculture Department; the Federal Power Commission; the Federal Communications Commission; the Securities and Exchange Commission; and all the multitude of other agencies. Faced with this appropriations process, the Federal Reserve System would be much more careful about its decisions, much less likely to meet the demands of the big banking and big business community and hopefully more inclined to pay attention to the public interest.

More important, the Congress would be able to use the appropriations process to insist that the intent of Congress was met in the administration of banking and monetary statutes.

BONDS HAVE BEEN PAID FOR ONCE AND SHOULD BE RETIRED AND SUBTRACTED FROM THE NATIONAL DEBT

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, let me review the situation at Federal Reserve as it stands today. At the end of the first week in August, the Federal Reserve

had $70.8 billion of bonds residing in the portfolio of the Federal Open Market Committee in the New York Federal Reserve Bank. These are all bonds which have been paid for by the credit of the United States. When the bonds are purchased by the Open Market Committee, credit is entered on the books of the bank or the seller has the right to demand payment in the currency of the United States—currency printed right here at the Bureau of Engraving and Printing. Thus, we have a situation where we have both the currency and the bonds outstanding at the same time—a double accounting against the U.S. Government. There is no dispute over this fact. Federal Reserve official after Federal Reserve official has conceded this in hearing after hearing before various committees of the Congress.

The maintenance of this system—in the face of unrefuted testimony—simply means that the Congress is perpetuating a myth and is a party to an effort to delude the American public about the public debt and the operations of the Federal Reserve.

The Federal Reserve is drawing about $4 billion annually in interest on these bonds. This interest is paid by the U.S. Treasury and the money comes from funds of the American taxpayers. The Federal Reserve uses this money as a huge slush fund for whatever it desires and the Appropriations Committee has no authority to either review or to control these expenditures in any manner. The funds are not audited by the General Accounting Office, and the Federal Reserve has engaged in a well financed and emotional campaign to lock the GAO out of the entire Federal Reserve System.

So the U.S. Government's debt ceiling of $450 billion is composed of at least $70 billion of outright fiction. These bonds should be retired, subtracted from the debt, and if this were done, there would be no need for another increase in the debt ceiling in the foreseeable future.

This could be done without any harm to either our fiscal or monetary system and I hope no one will fall prey to the emotional outcries of those who will be simply attempting to preserve their empire at the Federal Reserve. If the Federal Reserve thinks it needs these bonds for fiscal bookkeeping purposes, then it should be willing to agree that these bonds—which have been paid for by the credit of the United States—be non-interest-bearing. By making them non-interest-bearing, the Federal Reserve could continue to maintain its bookkeeping fiction, but it could no longer draw the $4 billion in interest from the Treasury Department each year.

Mr. Speaker, this situation is so absurd that many people just cannot believe that the Congress would allow this to continue. The absurdity of the situation is one of the protections that the Federal Reserve System has. The average person simply cannot believe that the Congress would allow the Treasury to pay interest on bonds which have been paid for by the credit of the United States.

So to clear up the question of whether these bonds have been paid for, I want to quote from a hearing record before the Banking and Currency Committee on July 6, 1965, when the then-Chairman of the Federal Reserve Board, William McChesney Martin, was asked about this situation:

Mr. MARTIN. The bonds were paid for in the normal course of business.

Mr. PATMAN. That is right.

Mr. MARTIN. And that is the only time they were paid for.

Mr. PATMAN. Just like we pay debt with checks and credit.

Mr. MARTIN. Exactly.

Mr. PATMAN. In the normal course of business, they were paid for once. You will admit that, will you not? They were paid for once and that's all?

Mr. MARTIN. They were paid for once and that's all.

Mr. PATMAN. That's right.

This is very clear. Surely the Congress does not need any more evidence that these bonds should be canceled and the Treasury relieved of its obligation to pay interest.

WHAT THE CONGRESS SHOULD DO ABOUT THE FEDERAL RESERVE SYSTEM

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, most Members of the House will be standing for reelection in November and I hope that they will see fit to speak out on the need to reform the Federal Reserve—to speak out for a responsive monetary system and for an end to the bookkeeping devices which leave the Federal Reserve outside of the democratic processes which have made this country so great.

Our constituents, of course, have the right to contact us on these issues and to demand that we initiate action to bring about justice for the people. Every voter has four people here in Washington who can be contacted on this question—their U.S. Representatives, their two U.S. Senators, and the President of the United States.

At a minimum, we should be demanding:

First, a full top-to-bottom audit of every aspect of the Federal Reserve System. This should be conducted by the General Accounting Office and it should be continued on a regular basis.

Second, a full appropriations review by the Appropriations Committees of both the House and the Senate.

Third, retirement of all Government securities which have been paid for by the credit of the United States and their subtraction from the national debt.

Mr. Speaker, there are many other reforms which are needed to bring the Federal Reserve System in line with the economic policies which the people are demanding at the polls. But these three steps are needed before we can really sit down and work out long range methods to assure that the people can control their own monetary system.

In later speeches on the floor of the House—in coming weeks—I plan to discuss how the failure to control the Federal Reserve System has resulted in serious economic harm to the Nation and has resulted in an ever-escalating round of higher interest rates.

CLOSED MINDS, CLOSED DOORS

(Mr. POAGE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. POAGE. Mr. Speaker, recently there was published a report entitled "Hard Tomatoes, Hard Times," which made a totally unwarranted and unjustified attack on the land-grant college system. The report truly is unworthy of recognition, but an excellent rebuttal to it has appeared in the form of an editorial entitled "Closed Minds, Closed Doors," which ran in the August issue of American Agriculturist, written by the editor, Mr. Gordon Conklin. I submit the editorial for publication in the CONGRESSIONAL RECORD and recommend its reading to my colleagues:

CLOSED MINDS, CLOSED DOORS

A popular shortcut to notoriety these days is to yell raunchy four-letter words at a Sunday-school picnic . . . or launch a diatribe against education at a PTA meeting. It is especially fashionable to be totally negative toward heretofore widely-esteemed symbols, institutions or customs . . . marriage, the flag, the church, or whatever.

Therefore, a voluminous report entitled, Hard Tomatoes, Hard Times . . . which attempts to discredit the land grant colleges . . . comes as no surprise. The report is published by an outfit called the Task Force on the Land Grant College Complex, Agribusiness Accountability Project. A suitable and convenient acronym, condensing both the report's title and its message, is hate.

Its contention is that the land grant college complex is a complete failure because it is allegedly a captive of the agribusiness community . . . and is responsible for the technology undergirding the social and economic revolution that has brought massive change to the nation's rural areas. Summing up his myopic views of the situation, author Jim Hightower writes, "As statistics indicate, and as visits to the countryside make clear, rural America is crumbling. Not just the family farm, but every aspect of rural America is crumbling . . . schools, communities, churches, businesses, and way of life."

Riding grimly on, this modern Don Quixote skewers the windmill. "The greatest failing of land grant research is its total abdication of leadership. At a time when rural America desperately needs leadership, the land grant community has ducked behind the corporate skirt, mumbling apologetic words like 'progress,' 'efficiency,' and 'inevitability.' Overall, it is a pedantic and cowardly research system, and America is less for it."

Flailing at all parts of the land grant college system, the report's author lines up 4–H in his gunsights, "4–H receives the largest allocation of man years . . . a third of the total. This social club for youth exists as one of the sacred cows of the land grant world. The fact is that 4–H might be an adequate youth club, but it is not doing much that seriously promises to make a change in the rural plight. It is a frivolous diversion of 72 million dollars."

My mind wandered back, as I read that broadside, to the hundreds of 4–Her's with shinning eyes whom I've seen accept awards . . . to the dozens of young people I've known personally who blossomed into capable leaders under 4–H guidance . . . to the countless volunteer 4–H workers I've visited

with who devoted hours beyond measure to a task in which they deeply believed. I could no more sneer at these folks than I could curse life itself.

Special pains are taken in the report to roast the American Farm Bureau Federation at length (no mention is made of the NFO or National Farmers Union), to bitterly attack the Extension Service, and to climb all over the two most recent holders of the office of Secretary of Agriculture, Messrs. Hardin and Butz. The magazine, *Organic Farming and Gardening*, is quoted several times as documentation for the volleys fired at these folks.

My own background involves growing up on one of those hard-scrabble small farms which the report claims have been victimized by the land grant colleges. Quite to the contrary, my family (which would now be called poverty-stricken) always had respect for those colleges and both my brother and I found new opportunity and wider horizons in their classrooms and research facilities.

Later . . . as rural banker, county agent and farm magazine editor . . . I've visited hundreds of family farms from Maine's Aroostook County in the north down to Lancaster County in the Keystone State. These people, portrayed in hate as being rendered virtual peasants by the Agricultural Establishment, have no resemblance whatsoever to that distorted image, and would display little sympathy for the irresponsible accusations contained in the report's vitriolic rhetoric.

As I read the report, I found myself wishing that the effort expended on it had been more responsible in purpose . . . exploring with some perspective the very real shortcomings of the land grant college system . . . rather than merely seeking to discredit it. Hate is massively guilty of the multiple levels of overkill so characteristic of our clamorous times . . . remember the farmer who had to clobber his mule with a 2 x 4 just to get his attention so he could feed him a carrot?

Perhaps most disappointing of all was the disclaimer by the hate author, "But it is not the place of this Task Force to determine the agenda of the land grant complex." In common with so much of the protest of our time, bitter criticism is leveled without alternatives being presented . . . responsible people are totally condemned by hostile nontaxpayers operating from temporary headquarters located in the shifting sands of irresponsibility.

In normal times, the report would quickly be consigned to the oblivion it so richly deserves . . . but these are not normal times. Senator Adlai Stevenson III of Illinois, perhaps sensing some political hay to be made in the sunshine, decided to hold a Congressional hearing to air the charges made in hate.

Folks, we've all picked bones of contention from time to time with our agricultural colleges, and with their research and extension programs. But a 155-mm howitzer is hardly the best tool with which to begin a remodeling job on your house . . . just as seeking to destroy an organization is not the logical first step to making constructive changes in its philosophies and procedures. Artifical insemination techniques were not developed after first destroying the bull . . . nor were teachers of the one-room schoolhouse burned at the stake in the process of conversion to centralized schools.

The land grant colleges have done a marvelous job over the years, in terms of agricultural abundance and human development, but they of course need to change and adapt to meet the new challenges that inevitably accompany the sweep of history. The overwhelming majority of farmers . . . and rural non-farmers . . . support the overall thrust of those colleges, although they may disagree at times with specific projects or procedures.

The hate report led me to two inescapable conclusions:

It was written and researched by people seeking to document a foregone conclusion . . . closed minds that did not want to be disturbed by a wide range of facts. The report is typical of research in the legal profession where a particular position is taken, then all available arguments are marshalled in favor of that position . . . in marked contrast to scientific research which reviews all the known facts before arriving at a conclusion.

The author had obviously not visited northeastern family farms, and was woefully lacking in first-hand contact with farmers generally. He used carefully-selected statistics and statements by others (as you would expect of research in the legal profession), but had gathered little farm soil on his shoes from a wide range of personal visits . . . he had left too many doors to farm homes unopened.

Closed Minds, Closed Doors.

PERSONAL ANNOUNCEMENT

(Mr. CHAMBERLAIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, in order that my position on recent votes will be clear, I wish to make the following personal explanation:

On rollcall No. 278, I would have voted "yea."

On rollcall No. 279, I would have voted "yea."

On rollcall No. 283, I would have voted "yea."

On rollcall No. 294, I would have voted "yea."

On rollcall No. 295, I would have voted "yea."

On rollcall No. 296, I would have voted "yea."

On rollcall No. 297, I would have voted "nay."

On rollcall No. 298, I would have voted "nay."

On rollcall No. 300, I would have voted "yea."

On rollcall No. 301, I would have voted "yea."

On rollcall No. 302, I would have voted "yea."

On rollcall No. 303, I would have voted "yea."

On rollcall No. 304, I would have voted "yea."

On rollcall No. 305, I would have voted "yea."

RISING FOOD PRICES

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, for 20 years the American consumer has witnessed a steady and relentless increase in the cost of food, particularly the cost of meat. In the past several months, the rate of increase appears to have accelerated. Today, I would like to address myself to two topics: First, the forces underlying this 20-year trend, and second, the reasons for the sudden spurt in prices since February, particularly in the Washington metropolitan area.

To explain the 20-year trend of rising prices, it is necessary to examine the cost structure of the three major components of the food marketing chain, the farmer, the wholesaler, and the retailer.

For raw agricultural products, there have been substantial increases in prices. However, the farmer has seen his production costs rise an average of 50 percent. Despite these increases in operating costs, farm prices have risen only 6 percent in the past 20 years. Farmers have been able to survive only by virtue of their increased productivity—223 percent over the last 20 years.

While farm prices have risen 6 percent, wholesale prices have jumped 20 percent. Most of the difference can be attributed to increased costs at the wholesale level. Labor costs have risen 300 percent; freight costs 140 percent; services—rent, insurance, telephone, and so forth—240 percent; containers 160 percent; fuel, power, and light costs have jumped 135 percent; while the costs of new plants and machinery have increased 192 percent. Throughout this period of rising costs, the profit margin for wholesalers has hovered around 1 percent.

For the third component of the food marketing chain, the retailer, prices have spurted 43 percent in the last 20 years. Again, most of this increase can be attributed to rising operating costs, particularly for labor which accounts for 50 percent of expenses. Most analysts would probably agree that for the retail food industry after tax profits as a percentage of sales should ideally average around 1.5 percent. Actual profits have traditionally been lower, peaking at 1.41 percent in 1965. In 1971, the food chain industry's profits on the dollar, after taxes, was down to .86 percent.

Underlying the rising costs within the food marketing chain is the steadily increasing demand for beef. Consumer consumption of beef has more than doubled over the last 20 years, increasing from 56.1 pounds per capita to 114.3 pounds per capita. Over the last 7 years the increase was 30 percent. This steadily rising demand for meat has sustained high prices. Indeed, it has been a significant force in pulling these prices up.

To help alleviate this continuing problem of supply relative to demand there are two initiatives to which we must give serious consideration. The first is the permanent lifting of import quotas. The President has, for the balance of 1972, already suspended import quotas for meat. This means that the amount of foreign meat that can be imported is no longer limited to 6.7 percent of U.S. production.

However, only limited relief in the supply situation can be expected from the President's action. I say this because there exists a worldwide shortage of beef, and foreign suppliers are not likely to jump to the American market, possibly loosing other markets to competitors, when there is no assurance that import quotas will not be reinstituted at the end of this year. Further, the American market offers no substantial financial incentives as U.S. beef prices are only three-fourths of 1 cent above the world level.

To overcome some of this anticipated

hesitancy on the part of foreign suppliers, I have suggested to the President that in formulating the administration program for next year he give serious consideration to legislation repealing the section of the Meat Import Act of 1964 which establishes the import quota system.

The permanent lifting of import restrictions could result in some change in world market patterns, bringing a larger supply of beef to the United States. It is, however, unlikely that a permanent lifting of the import quotas would increase the supply of beef to the extent that it would depress prices. Rather, the effect would be to prevent consumer demand from further outstripping supply, thus decelerating the rate of price increase, not depressing existing prices.

The second initiative to supplement the supply of beef which must be given careful attention is increasing the available grazing land to support a larger national herd.

Under the terms of existing legislation, 50 to 58 million acres of cropland are held out of production each year. If pasturing of this land were permitted, it has been estimated that the U.S. could produce up to 2 percent more beef. If this pasturing were allowed, it is doubtful that more than 20 million additional acres would be grazed during the pasture season. However, these acres would provide substantial additional feed for the existing 116 million head of cattle on U.S. farms and ranches, eventually permitting an increase of a few million head in the U.S. herd.

Grazing set-aside cropland would not lead to an immediate increase in beef cattle markets. Some cattle would gain more weight because of improved pastures, but additional female breeding animals would be retained on the farms and ranches to utilize the additional grazing, thus slightly reducing the number of cattle marketed for the first year or two. It would not add sufficient pasturage, however, to cause a noticable reduction in current marketings.

I have written to the Secretary of Agriculture and requested that the Department study the issues surrounding this suggestion so that it can provide the Congress with a full study when the legislation implementing the set-aside progam comes up for review next year.

With an ever-growing population and rising standard of living, it is unlikely that the American consumer's demand for beef will relent. The actions I have suggested regarding meat imports and grazing land will assist cattlemen in their efforts to meet this constantly increasing appetite for meat.

To this point, I have been discussing long-term national trends and long-term potential solutions. However, to explain market behavior since February, particularly in the Washington area, it is necessary to examine a narrower time spectrum. The fluctuations in food prices, particularly for meats, can be understood in terms of: First, the market forces of supply and demand, and second, expanded retail margins.

The high demand that has characterized the food market over the past 20 years has not relented in past months. If anything, demand relative to supply has increased because the supply of beef coming to the market has decreased somewhat. The decrease is generally attributed to the corn leaf blight of 1970. In that year, much of the corn crop fell victim to the blight. With a reduced supply of corn, the price of feed corn went up. The increase in production costs, without a corresponding increase in the return to the farmer, resulted in many cattle being withheld from the market. Had this particular series of events not occurred it is still unlikely that supply would have kept pace with demand.

However, not all of the price increase that occurred in February can be attributed to the forces of supply and demand. A significant portion of the explanation is to be found in expanded retail margins of profit.

Under the Price Commission's volatile pricing rule, firms operating in a market characterized by volatile prices, such as the food industry, may immediately pass along increased costs in order to maintain their customary profit margins.

In the food industry, retailers are wary of the effect constant price changes may have on the consumer. Therefore, retail pricing policies exhibit a lag phenomenon. That is, when wholesale prices begin rising, retailers hold the line until wholesale prices reach a trigger point. At that point retailers raise their prices. During this lagtime retailers experience shrinking profits. The loss is recovered when wholesale prices begin to decline because the higher retail prices are maintained until wholesale prices drop below another trigger level. When that level is reached, retailers drop their prices. This downside lag compensates retailers for the upturn lag.

Combined with the volatile pricing rule, this lag pricing characteristic of the retail food industry set the stage for excessive retail price increases in the early months of this year. When wholesale prices reached the trigger level in February retailers increased their prices above the customary levels. Further, retailers appeared prepared to lengthen the time lag on the downside. This situation led the Cost of Living Council to meet with retail executives on a jawboning session in late March. That meeting saw an immediate reduction in retail prices.

Recently released figures indicate that food shoppers in the Washington area are experiencing another sharp, and possibly unjustifiable, price increase. The most recent monthly data on food costs shows that prices in the Washington metropolitan area rose 2.1 percent—not seasonally or annually adjusted—while the national average was 0.6 percent—not seasonally or annually adjusted. During that 1-month period, retailers throughout the nation experienced the same increase in costs as retailers in the Washington area. Yet, prices in this area increased at a much faster rate. These figures suggest that retailers may be trying to accomplish in the local area, what was attempted nationally in February—increase profits beyond the average generally accepted by economic analysts.

A characteristic of the Washington retail food market which could give impetus to excessive price increases not found generally in other areas of the Nation is the absence of independent competition to the prices charged by the leading Washington chains. In the Washington metropolitan area, the major food chains completely dominate the market, accounting for 87 percent of total sales. Contrasted to the lack of competition in this area is the situation in other metropolitan cities. In New York, the leading food chains accounted for 51.7 percent of total sales. In Philadelphia the figure is 68.5 percent, and in Boston only 53.3 percent. The lack of independent competition in Washington may significantly reduce the pressures for price constraint on the part of large retail food chains.

As a result the Washington area consumer is more readily exposed to inordinate increases in food prices. The big food chains have minimal constraints of the competitive marketplace which is in the tradition of the American economic system.

I have today formally requested the Price Commission to investigate retail food pricing policies in the Washington metropolitan area to determine if prices have indeed been raised to excessive levels, as they were last February. If this proves to be the case, the Price Commission must immediately order prices rolled back to appropriate levels.

Mr. Speaker, I am deeply disturbed by the possibility that the benefits and burdens of the President's economic stabilization program may be shared unequally. Therefore, I am urging that the Price Commission also assume a continuing active role in monitoring food prices to insure that the consumer does not bear the heaviest burden of wage-price controls.

TESTING FOR VIRUSES AT DALECARLIA

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, Washington, D.C., and its suburbs, without appropriate planning, can face a water shortage sometime in the next decade—the projected flow of the Potomac River will simply not be sufficient to meet the growing demand indefinitely. Washington's water problem is, however, symptomatic of the water situation in many other municipalities throughout the United States. It is no news that the time is long overdue to begin exploring and developing the potential of recycled wastewater and polluted surface waters as supplements to our existing sources of potable and recreational waters. As a matter of fact, reuse of water in America is hardly a revolutionary or novel concept. An exhaustive study of one-third of our American cities in 1961 demonstrated that these municipalities include from 0 to 18 percent municipal waste water from up-

stream in their drinking water with the average city having 3.5 percent recycled waste water in its supply.

One of the major concerns to use of polluted and recycled waste waters is viral contamination. Enteric viruses, which cause such diseases as infectious hepatitis, polio, and a variety of gastrointestinal disorders, are commonly found in raw sewage and polluted waters. However, before the means to remove or inactivate viruses can be fully developed, the extent of their presence must be determined.

Last week I visited the Dalecarlia Water Treatment Plant to observe the Army Corps of Engineers' virus testing operations. The Corps of Engineers, responsible for Washington's water supply, has recently awarded the Woodard Research Corp., a contract to test regularly both the raw and untreated water at Dalecarlia for viruses.

The data provided by this study will go a long way toward answering questions on the effectiveness of current water treatment processes, from the standpoint of viral contamination. And too, this study will contribute to the refinement of techniques for detecting small quantities of virus in large quantities of water, techniques that are now prohibitive because of the complexity, expense, and time involved. Just as water is now monitored for bacterial contaminants—that once constituted major public health hazards—we can soon expect viral monitoring to become the rule rather than the exception in municipal water and sewage treatment plants.

It is to the great credit of the corps that, as is the case with so many municipal water systems of the United States, despite raw sewage contamination received at the intake, with a high level of treatment executed by skilled professional and technical personnel, Washington area residents are guaranteed wholesome potable water. The Dalecarlia intake receives upstream water with an estimated one-half to two-thirds million gallons of sewage overflow from the Cabin John watershed; this contamination is of a higher degree than would be found in water from the upper estuary.

For all these reasons the Army Corps of Engineers is doing research on the effects of chlorination on enteric viruses and is studying the potential of the Potomac estuary as a supplemental water source for Washington. These three projects will provide much needed information for all concerned with averting a water crisis in Washington, and ultimately the Nation. The Army Corps of Engineers is to be commended for their foresight and leadership in the field of water supply; and I sincerely hope that others will follow their example and direct their efforts toward developing new sources of "cool, clean water."

FROM HUMAN DIGNITY TO A SECRET WEAPON

(Mr. BROOMFIELD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROOMFIELD. Mr. Speaker, the McGovern-Shriver forces "unveiled" last week in the New York Times one of its so-called secret weapons. In an August 7 New York Times dispatch, James Naughton wrote:

> The "weapon" according to Frank Mankiewicz, the political director of the campaign, is the large number of young Americans who served under Mr. Shriver when he was director of the Peace Corps in the Kennedy Administration.

The article, said Mr. Mankiewicz, predicts that returned Peace Corps volunteers are "going to be a very powerful force."

Mr. Speaker, I am not a returned Peace Corps volunteer, but I am certain that if I were, I would not appreciate being referred to as a "weapon" for anyone's cause or campaign. I read Mr. Mankiewicz remarks as an appalling affront to this outstanding group of young Americans.

Certainly these people, as Peace Corps volunteers, demonstrated a predisposition for activism. They refused to sit back and allow developing countries to remain isolated from existing technologies—to remain severely handicapped by trained manpower shortages. I would expect that today, many of these same people, as individuals in this country, take an active interest in the running of this Government. I feel certain that some have already offered their help to the various political candidates on an individual basis. This is to be expected, and perhaps for the sake of improving our political system, to be hoped for.

But, Mr. Speaker, I would also hope that no attempt would be made by any candidate to round up collectively this group of Americans for service as anyone's secret weapon or powerful force.

Such an action, as I understand it, goes completely counter to the nature and philosophy of the Peace Corps. I would think Mr. Shriver and Mr. Mankiewicz, both former Peace Corpsmen, would know this better than I.

As Mr. Shriver described it some 11 years ago to a group of graduating Notre Dame seniors:

> The purpose of Peace Corps is to permit Americans to participate directly, personally and effectively in this struggle for human dignity.

Mr. Shriver said on several occasions that politics were never to have a role in the Peace Corps. Presidents Kennedy, Johnson and Nixon have all sought to preserve its non-political nature.

Mr. Shriver has said he firmly believes that:

> Peace Corps' existence and effectiveness are dangerously threatened by any confusion that may be created in the minds of the peoples of our host countries, or of our own citizens, as to Peace Corps nonpolitical nature.

But that was Mr. Shriver, the Peace Corps Director. Now it is Mr. Shriver the political candidate, and several years later. It would seem this man, whom McGovern forces claim can reactivate the loyalties of thousands of former Peace Corps Volunteers, has made a rather rough transition from his work "in the struggle for human dignity," to his utilization of "secret weapons."

GUARANTEED STUDENT LOAN PROGRAM

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, in recent weeks a severe crisis has developed in the operation of the guaranteed student loan program. Attempts at implementation of new guidelines resulting from the recently enacted higher education conference report have created chaos and confusion in the program. The tragic result, of course, has been that the loan volume has dropped drastically and thousands and thousands of deserving youngsters have been denied access to loans.

Yesterday, I proposed in the House a measure which would stay the effective date of any new changes in the guaranteed student loan program until March 1 of next year. In short, the program would continue to operate under the ground rules of the 1971–72 school year. The House, happily, overwhelmingly passed the measure and the Senate earlier today concurred in the House action.

Numerous and lengthy conversations with bankers, financial aid officers, college administrators, and others involved in the operation of the program have served to convince me that this action provides the best approach from which to begin dealing with the tremendous backlog of loan applications which must be processed if students are to receive loans for the fall semester. Hopefully, the time between the present and March 1 will offer us the opportunity to take a more careful look at the program and work at unravelling the maze of problems now confronting it. Two days of hearings have already been held in the Special Subcommittee on Education and I expect to schedule full hearings on the program when the Congress returns after Labor Day.

The crisis is reflected in the phone calls, letters and telegrams I have received from college administrators, and financial aid officers stressing the urgent need for the kind of action taken yesterday by the House. I would like to insert at this point in the RECORD some of the communications I have received, including correspondence from Mr. Edson Sample, director of the office of scholarships and financial aids at Indiana University, along with an editorial and news story from the Indiana University school newspaper discussing the severity of the problem:

INDIANA UNIVERSITY,
OFFICE OF SCHOLARSHIPS
AND FINANCIAL AIDS,
Bloomington, Ind., August 15, 1972.

Hon. EDITH GREEN,
House of Representatives, Rayburn Office Building, Washington, D.C.

DEAR MRS. GREEN: Enclosed you will find two articles regarding the Federally Insured Loan Program which appeared in the Indiana Daily Student, which is our campus newspaper. I hope you find them of interest.

We have been urging the Office of Education to either revise the regulations or to perhaps work for delaying the implementation of the regulations. In over ten years of

working in student financial aid, I have never been in a more difficult position than that created in connection with the Guaranteed Loan Program. The regulations are impossible to work with and what makes the matter so bad is what we see happening to the students and parents who have benefited from this program in the past and who are no longer eligible to receive interest benefits or who are receiving smaller loans than we feel justified. Processing under the new and complicated regulations is extremely complicated and time consuming. We are finding that it takes a professional staff member fifteen minutes per application merely to do the minimum necessary paperwork. In addition, clerical staff are also involved to a large extent. Sending out the application form requires 24¢ in postage and 24¢ after we have completed the forms. As you know, the 1% administrative expense allowance was not included in the law despite its mention in the Conference Report. I urge Congress to include this provision so that colleges may be partially reimbursed for the tremendous expense involved.

I further urge you and your colleagues to return this program to its original intent by automatically allowing the interest subsidy to be paid for those students who come from families of $15,000 income or less. We have no objection to performing a needs analysis for those over $15,000 but we should be able to do so without undue restrictions or interference by Office of Education regulations.

We appreciate very much the wonderful job you are doing for Higher Education and in support of student financial aid programs. I remember so well the pleasant evening we spent at dinner at the Coronado Hotel in San Diego in January. I hope that we can reach very soon some solution to this problem. If there is any way I can be of assistance to you, please feel free to call upon me.

Sincerely yours,

EDSON W. SAMPLE,
Director.

CORVALLIS, OREG.,
August 16, 1972.

Congresswoman EDITH GREEN,
Capitol Hill, Washington, D.C.:

It is our understanding that Congress may consider postponements of amendments in the new higher education bill relative to the insured student loan program. We strongly urge that this action be taken this week, as it will directly affect several hundreds students hoping to attend our institution this fall. We estimate that at least 50 percent of our students eligible for interest subsidy benefits last year will not be eligible this fall under the current provisions of the new higher education bill. Also, we have been informed by reliable sources that money lending institutions in our State will refuse to make loans to students not eligible for interest subsidy benefits. Finally, we are very concerned that student enrollment will be seriously reduced this fall if a postponement of the new amendment is not granted.

Sincerely,

R. E. PAHRE,
Director Financial Aids, Oregon State University.

McMINNVILLE, OREG.,
August 16, 1972.

HON. EDITH GREEN,
U.S. House of Representatives,
Washington, D.C.:

We request that you act favorably on the President's request for postponement of the effective date of interest subsidy of guaranteed student loans as stated in the 1972 higher education amendment.

LLOYD R. SWENSON,
Director of Financial Aid, Linfield College.

PORTLAND, OREG.,
August 16, 1972.

Representative EDITH GREEN,
Capitol Hill, D.C.:

Passage of the Education Amendment of 1972 resulted in significant changes in the guaranteed student loan program. Thousands of law students are no longer eligible to receive Federal interest subsidy on their loans; we do not believe congressional intent was to prohibit students from borrowing, thereby making it virtually impossible for many to obtain a legal education. We urge you to take action to postpone the effective date of the interest subsidy provision of the loan program until further review is possible.

ANN KENDRICK,
Assistant to the Dean, Law School, Lewis and Clark College.

FOREST GROVE, OREG.,
August 16, 1972.

Congresswoman EDITH GREEN,
Third District, Oregon, House of Representatives, Capitol Hill, D.C.:

Effective date of new regulations for the federally insured student loan program contained in part 177.2 of title 45 of the OE of Federal regulations. It is essential that this step be taken. The new regulations as they now stand will deny Federal interest benefits to enormous numbers of student borrowers from middle-income families, and could make it impossible for as many as twenty percent of our students to borrow sufficient funds to remain in school. We urge that the effective date of part 177.2 of title 45 be postponed and that steps be taken to amend these regulations before such time as they do become effective.

Sincerely yours,

JAMES V. MILLER,
President, Pacific University.

HEMPSTEAD, N.Y.,
August 17, 1972.

Congresswoman EDITH GREEN,
House of Representatives,
Washington, D.C.:

Present situation on processing federally guaranteed students loans utter chaos for thousands of New York students including 2500 at Hofstra alone. President's recommendation for emergency legislation to hold new guidelines in abeyance until April 1 vital step that should be taken immediately. Unless resolved large number of Hofstra students dependent upon these loans for educational expenses will be unable to continue. Postponing of implementation to April 1 will allow time to implement properly constructive changes proposed under the Higher Education Act of 1972. At Hofstra tuition payments due late this month. Any delay on the President's urgent request would force withdrawal from college of many deserving young people call upon you and your colleagues for urgent action to support President's request.

CLIFFORD L. LORD,
President, Hofstra University.

PORTLAND, OREG.,
August 16, 1972.

Representative EDITH GREEN,
Washington, D.C.:

Urge affirmative vote on suspension of supplemental form for guaranteed loan.

Father WALDSCHMIDT,
President, University of Portland.

HEMPSTEAD, N.Y.,
August 17, 1972.

Congresswoman EDITH GREEN,
Capitol Hill, D.C.:

The present situation regarding the processing of federally guaranteed student loans has become chaotic for thousands of New York State students. President Nixon's action recommending that the new guidelines be held in abeyance until April 1, 1973, is a vital step that should be taken immediately unless the present confusion and uncertainty is resolved, the education of thousands of students who depend upon these loans to cover educational expenses will be placed in jeopardy. By advancing the date of implementation to April 1973, we will allow sufficient time to implement the constructive changes that were proposed under the Higher Education Act of 1972. On most campuses student tuition payments are due in late August. Any further delay on the President's request would make it impossible for many deserving young people to continue their education. I call upon you and your colleagues to take prompt action in supporting the President's request in this matter.

MILTON JONAS,
Chairman, Joint Legislative Committee on Higher Education of New York State.

ELECTION ASSISTANCE AND VOTER REGISTRATION ACT

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous mater.)

Mr. BINGHAM. Mr. Speaker, in the most recent primary elections in New York City, prospective voters faced long waits before casting their ballots, and many gave up in despair.

Similar disturbing breakdowns in the administration of elections have confronted voters across the Nation. Recent elections in Cleveland, to cite another example, were ordered to be held a second time, primarily because of election machine difficulties. A recount of the 1970 election in Indiana was ordered on the basis of improper registration of voters. And, as Chicago Tribune reporter Bill Anderson noted in a recent article on voting problems, "there are entirely too many votes lost, switched, or not counted in all areas of the United States for Indiana to be an isolated case."

A study by the League of Women Voters Education Fund—LWVEF—of the administration of elections in 251 communities around the country in the fall election period of 1971 concluded that "the current system of registration and voting functions inefficiently for citizens throughout the United States."

In response to this serious problem, I am today introducing the Election Assistance and Voter Registration Act of 1972. This legislation would, for the first time, make Federal assistance available on a wide scale to local jurisdictions charged with administering elections involving Federal offices in order to help assure that those elections are conducted efficiently. It also proposes changes in absentee voting and voter enrollment procedures designed to make voting more convenient for all of our citizens.

The frustrating delays in New York City were brought about in part by last-minute changes in the order in which candidates names were to appear on ballots at each polling place. The board of elections had neither the personnel nor the financial resources to cope fully with such a situation. But there were more difficulties than just those growing directly out of the change in ballots. As an economy measure, polling places had been consolidated prior to the elec-

tion, adding further to crowding and confusion. A New York Times editorial summed up the resulting "electoral muddle" as follows:

To vote at all in last Tuesday's primaries in the city reflected a triumph of citizen determination over official bungling and pettifoggery. The ballots were unnecessarily confusing. Machines jammed. Polling places were hard to find. Once found, they were often inadequately staffed. Voters at some of the worst precincts had to wait in line until midnight to register their preferences.

To help eliminate these extensive election "snafus," the legislation I am proposing would permit the granting of Federal funds and the assignment of Federal personnel on request and on the basis of demonstrated need to assist local jurisdictions to hold elections involving Federal offices, including congressional seats. The Federal funds offered by this legislation could be used to provide more and better election machines, polling places, election workers and training, or whatever local officials might reasonably determine would help eliminate election difficulties. To solve the problem of too few competent personnel to administer elections, specially training Federal supervisory personnel could also be requested by local election officials.

Another section of this proposed legislation would assure absentee balloting in congressional primaries. In many States and congressional districts, victory in a primary is tantamount to election. In such areas, primaries are far more critical than general elections, yet in many State citizens are cut off from exercising their voting rights because they are ill or must travel outside the election district in which they are eligible to vote on primary day, because absentee voting in primaries is not permitted or is extremely difficult.

The Election Assistance and Voter Registration Act of 1972 would remedy this unjust hindrance to voting by requiring that absentee balloting be permitted in Federal elections and by providing simple procedures for that to be accomplished.

Finally, Mr. Speaker, my proposed legislation would encourage States and local jurisdictions to expand and streamline their voter registration efforts by providing funds and technical assistance for that purpose. In this respect, my proposal is similar to legislation introduced in the Senate by Senator EDWARD KENNEDY, S. 3420, the Registration Assistance Act of 1972. A special category of Federal grants would be provided to States and local jurisdictions that adopt simple voter registration by postal card.

A special Election Assistance and Voter Registration Administration is created in the Bureau of the Census to carry out these provisions and to monitor the conduct of Federal elections throughout the country.

Mr. Speaker, voter participation has steadily diminished in this country. In 1968, 40 percent of the eligible population did not vote in the presidential elections. Of that 40 percent, 47 million people, about 30 million were not registered. In short, more voters sat out the election than voted for the winner in a presidential election in which the margin of victory was less than a million votes.

This November we face a particularly decisive election in view of the important issues that face the Nation. It is especially important that we act now to eliminate obstacles that make voting a chore, that discourage voters from participating in elections, and that make the electoral process less than a true reflection of the attitudes and desires of all the American people.

If we are to increase voter participation, we can no longer permit or expect voters to face long waiting lines, to wrestle with inoperative machines, to be pushed aside by misinformed and untrained election workers, to be confused by highly complex ballots, or to be discouraged from voting by elaborate and restrictive registration and absentee balloting requirements. The Election Assistance and Voter Registration Act of 1972 would go a long way toward eliminating such problems and improving the efficiency and convenience of elections in this country. It would thereby help assure fuller, more satisfying participation in our Federal elections, and I urge my colleagues in the Congress to join me in seeking its prompt enactment.

Voters simply cannot be so inconvenienced by inadequate election facilities, personnel, and procedures that they become discouraged from participating in the electoral process and distrustful of election results. That has been going on far too long in many jurisdictions, and we must do everything possible once and for all to rid elections of frustrating inefficiencies that stifle and deter voting.

Mr. Speaker, a section-by-section summary of the Election Assistance and Voter Registration Act of 1972 follows:

SECTION-BY-SECTION SUMMARY, H.R. ——

Title: "Election Assistance and Voter Registration Act of 1972."

Section 2. Amends Title 13 of the United States Code by adding a new Chapter (11):

Section 401. Definitions. Defines "election" to include primary, special, and general elections in whole or part for Federal office and any election of national convention delegates or caucuses for selecting delegates. "State" includes the District of Columbia and any political subdivision of a State of the United States.

Section 402. Establishes a bipartisan, three-member Election Assistance and Voter Registration Administration in the Bureau of the Census appointed by the President to administer the Act.

Section 403. Duties and powers of the Administration include providing grants to carry out and improve voter registration and the conduct of election, to provide assistance upon request of State officials concerning voter registration and election problems generally, to collect, analyze, and publish information on elections in the United States, and to appoint and pay for staff and facilities. An annual report to the President and Congress is required.

Section 404. Authorizes assistance by grant, contract, or other arrangement in accord with subsequent sections of the Act.

Section 405. Authorizes grants and other necessary assistance to ensure efficient and convenient conduct of elections. Grants are limited to 10¢ per potential voter in a given jurisdiction or $35,000, whichever is greater.

Section 406. Authorizes grants to conduct and increase voter registration. Grants are limited to the total direct cost of voter registration in a given jurisdiction.

Section 407. Authorizes grants to modernize voter registration procedures. Grants are limited to one-half cent per potential voter or $15,000, whichever is greater.

Section 408. Authorizes grants for implementation of simplified voter registration by postal card, and limits such grants to the full direct cost of preparing and processing such cards.

Section 409. Authorizes technical assistance further the purposes of the act, including assistance in developing programs for the prevention and control of election fraud.

Section 410. Requires that persons absent from voting residence or physically unable to vote in person be entitled to vote by absentee ballot, and provides a simplified procedure for such absentee balloting. Authorizes such assistance to State and local jurisdictions as may be needed to carry out absentee balloting procedures.

Section 411. Established requirements for grant applications including fiscal controls, auditing, and reporting.

Section 412. Authorizes Election Assistance and Voter Registration Administration to issue rules and regulations.

Section 3. Amends Section 5316 of Title 5 to include members of the Election Assistance and Voter Registration Administration under Level V of the Executive Pay Schedule (basic pay, $28,000).

Section 4. Authorizes such sums as are needed to carry out the Act.

NEED FOR "INCOME DISREGARD" TO SAVE SOCIAL SECURITY BENEFIT INCREASES

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, as matters now stand October 3, 1972, will be a day of bitter disappointment for many senior citizens rather than a day of improvement and hopes, as Congress intended.

October 3, 1972, is the day when social security recipients will receive their first social security check containing the benefit increases passed recently by the Congress and approved by the President. In the case of the many thousands of Americans whose total incomes, including social security, are so modest or whose health circumstances are such that they also receive other benefits, such as medicaid, aid to the blind and totally disabled, or old age benefits, the increase in their social security benefits will be accompanied by corresponding decreases in their other benefits. In some instances, they may lose one or more of these other benefits altogether. The result for these individuals will be not a net increase in income, as Congress intended in raising social security benefits, but no increase or even a net decrease in income.

In New York City alone, unless something is done at least 10,000 elderly people will be excluded from receiving old age assistance because the increase in social security benefits will raise their income above the old age assistance eligibility level. Fifteen thousand will no longer qualify for medicaid, and an additional 23,000 will have to begin paying for drugs and certain medical services and devices which they currently receive as benefits.

Mr. Speaker, this is an emergency situation which requires immediate ac-

tion by the Congress, and I am today introducing legislation which would remedy what is surely an oversight by Congress resulting from the suddenness with which the social security benefits increase was brought before the House as a Senate rider to the debt ceiling bill.

The two bills I am introducing would require the States to pass on the full amount of any increase in social security benefits as a result of the recently enacted social security amendments either by ignoring such increases in computing eligibility for other types of benefits or by any other method a State might deem appropriate. One of the two bills imposes this requirement with regard to veterans' benefits; the other imposes it with regard to such benefits as medicaid, old age benefits, aid to dependent children, and other benefits funded under the Social Security Act other than, of course, social security retirement benefits.

Mr. Speaker I am sure no Member of this House will want to be a party to the cruel disappointment that so many social security recipients will face in October unless these "income disregard" requirements are enacted between now and then. The Congress established the principle of income disregard by permitting the States to ignore the 1971 social security increase in computing eligibility for other types of benefits. Unfortunately, unless mandated to do so, many States will not be able to resist cutting other benefits in amounts equaling the social security benefits increase, thereby turning more of the cost of these programs over to the Federal Government, and nullifying the decision of Congress to provide badly needed additional spending power for our hard-pressed senior citizens. So I urge the distinguished chairman and members of the Ways and Means Committee to take up and act favorably on the "income disregard" legislation I have introduced today, and I hope all my colleagues in the House who displayed their interest in the plight of our senior citizens by voting for the social security increases will now join me in supporting this emergency legislation to make those increases a reality for all social security recipients.

HEARINGS ON THE OCCUPATIONAL SAFETY AND HEALTH ACT

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, there has been a great deal of discussion surrounding the operation of the Occupational Safety and Health Act of 1970 since the promulgated standards took effect last year. This has been of some surprise to those of my colleagues who worked for several years to draft an equitable law that would gain consensus in both bodies while achieving our real intent: to insure a safe and healthful environment for the Nation's workers.

It is apparent that there is a lack of accurate information about the law and its provisions. But what is worse is the plethora of misinformation and rampart rumor about OSHA. Out of this confusion have come numerous accusations from all the affected groups and a resulting rush to modify the law.

I believe that it is very important for us to pause at this point and listen to all the voices who are speaking for and about OSHA, and to examine the substance of the proposed administrative and legislative changes.

As chairman of the Select Subcommittee on Labor, I have scheduled 5 days of hearings on September 13, 14, 19, 20, and 21. This is in keeping with my June 15 commitment on the House floor during the Labor-HEW Appropriations debate. A letter to this effect has been mailed out today to all Members. Any Member who wishes to request time to testify or who wishes to submit a statement should contact the subcommittee staff.

VETO OF DEPARTMENT OF LABOR AND HEW APPROPRIATIONS

(Mr. WILLIAM D. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WILLIAM D. FORD. Mr. Speaker, yesterday President Nixon vetoed the Departments of Labor and Health, Education, and Welfare appropriations bill on the grounds that it represented "a perfect example of . . . reckless Federal spending."

While I share the President's deep concern over the critical problem of inflation, I find his reasoning for the veto of this crucial legislation both illogical and indefensible. During the presidential campaign in 1968, Richard Nixon proclaimed that the one area that could not be shortchanged by the Federal Government was education. Yet, since Mr. Nixon's election, we have witnessed three vetoes of vital health and education appropriation bills.

Those of us in Congress who supported this bill certainly agree with the President that excessive Government spending must be cut in the effort to curb inflation. During the last few years, I believe that Congress has demonstrated a conscientious effort to reevaluate what our national priorities should be and to enact legislation in accordance with these priorities.

Congress has shown its willingness to cut back in several areas. In June, the House-passed version of the military procurement authorization bill reduced the Department of Defense's budget request by $1.56 billion. And most recently, the House voted to cut over $120 million in questionable programs of U.S. foreign military assistance. But the President's message completely ignored the fact that Congress has already cut the Federal budget by more than the $1.8 billion that was added to the Labor-HEW appropriations bill.

The amount of funding Congress has appropriated in recent years for health and education programs expresses the strong commitment of both Houses to the serious needs of health and education. We have recognized that any attempts to sacrifice programs in these areas are indeed efforts at false economy. Thus, contrary to the President's charges of "reckless spending" I would maintain that Congress has been carefully working to redirect our spending, not to increase it at reckless levels.

The President has failed to realize that cuts in Federal education and health programs inevitably force a greater and greater burden upon State and local governments which only tends to negate any anti-inflationary effects of these cuts.

Mr. Speaker, at this point, I would like to relate the impact of this veto to the crisis in education in my own State of Michigan.

The State of Michigan has increased per pupil expenditures from $715 in 1968 to $1,148 in 1971. This was a 60-percent increase. The State received $30,677,000 in title I Federal assistance in 1968 and $41,359,000 in 1971, an increase of only 35 percent. The difference in effort has resulted in an increased burden on the local taxpayers to educate those who are most difficult to educate.

Michigan has had an increase of children receiving welfare assistance from 145,700 to 281,200 between 1966 and 1971, an increase of 93 percent. As pointed out before, title I only provided a 35 percent increase in that time span. Therefore, because the schools in the State are retaining more and more of the poor, the cost of operating and supporting systems has brought on an extra burden to local taxpayers.

In 1972, the Federal Government will grant moneys to the State of Michigan for title I, based on a count of approximately 326,500 poor children. The 1970 census indicates that the State has 428,262 children at or near the poverty level. The bill, which was vetoed by the President, would have provided $64,234,000 compared to $55,196,000 in fiscal year 1972.

The State has a potential need of $9,337,000 to offset local taxes paid to educate 36,618 children in rural and city schools in the State who live in federally subsidized housing. The House provision in H.R. 15417 would have begun to relieve some of that tax burden from the homeowner's shoulders. This money comes to local school districts unencumbered and would have been used for maintenance and operating expenses. The House recommendations would have provided an additional $362,000, not a cut of $1,400,000 as the President's estimate proposed to do. Is this fiscally responsible to put over a million dollar bite into the Michigan taxpayers' budgets? To put an addition $200 million burden on school districts nationally?

The President speaks of inflation and the gains in the economic situation at the national level, but look at what is happening at the State level. The veto of the Labor-HEW appropriations budget by the President will have particularly adverse effects on the compensatory education programs in several States. The title I distribution formula has a built-in mechanism for taking care of the needs of school districts whose concentrations of poor children has increased since 1966. This mechanism works by redistributing

the title I dollars on the basis of the increases in numbers of children in impoverished families where there are dependent children. Michigan's count of such children increased from 148,837 in 1971 to 194,106 in 1972. Michigan was entitled to nearly $8 million additional dollars for the coming year under the House bill. But Michigan was not alone. Florida was entitled to $1,206,000; Georgia to $6,427,000; Ohio to $7,415,000; Texas to $8,305,000; and North Carolina to $3,079,000 of increases.

Not only did the President's action wreck havoc with the expanded programs the districts in these States were planning for the coming year, but it also will wreck havoc with their already depleted resources to finance the regular school programs. These districts, operating on a continuing resolution, usually spend at 80 percent of last year's level. That means the district must either reduce the programs through staff, service, and or salary cuts of up to 30 percent, or run the risk of continuing to provide the full program to these children out of the local taxpayer's revenues. It is the latter course that most school boards will courageously follow, hoping fervently that the Congress will muster up enough courage and votes to give these children the Federal revenues necessary to meet their basic educational needs.

Mr. Speaker, I find it particularly upsetting that the present administration—after its economic policies for the last 3½ years have failed, dismally—has chosen to wage its fight against inflation at the expense of our health and education needs rather than at the expense of superfluous aircraft or obsolete missile systems.

THE "MISSING" ENERGY CHAPTER FROM THE REPORT OF THE COUNCIL ON ENVIRONMENTAL QUALITY

(Mr. FRASER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FRASER. Mr. Speaker, the National Environmental Policy Act of 1969—Public Law 91-190, 83 Stat. 852, 42 U.S.C. 4341—requires the President to report annually to the Congress on the environment. The law specifies that this report shall set forth, among other things:

(2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation . . . (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

Nowhere in the environmental quality report sent to Congress last week by the President was the issue of national energy policy adequately dealt with. Energy—clean energy—is perhaps the most important environmental issue today. We must face squarely the inherent conflict between spiraling energy consumption and pollution control. To do this, we need a full ventilation of the issues and of the alternatives.

Last week the press reported that three chapters had been deleted from the environmental quality report prepared for the President by the Council on Environmental Quality—CEQ. The White House and the Office of Management and Budget, according to newspaper accounts, decided that the sections on energy, recycling, and management of the Delaware River Basin were "politically sensitive" and should be withheld until after the election.

CEQ has responded that the chapters in question are "rough draft reports" of a "preliminary nature," that they require further work, and that possibly one chapter, or two, may be ready for publication on or about November 1.

The annual environmental report is incomplete without meaningful consideration of the energy question. More important is the fact that a report on this politically sensitive issue may not be available before the election. Wednesday, hearings on the CEQ report were held before the House Public Health and Environment Subcommittee. Chairman ROGERS raised the question of the need of Congress for an arm to evaluate national environmental policy—a body that could give Congress and the people informed views on national policy issues without executive censorship.

My experience on the Foreign Affairs Committee indicates that our questioning of administration witnesses seldom uncovers the alternatives debated within the executive branch before the administration closes ranks around its final decision. We are often unaware that options existed. If Congress is to subject the administration's policies to the critical review that our national welfare requires, we must be aware of the options. And for this we need competent advisers.

After Senator MCGOVERN charged the White House with suppressing the chapters in question, CEQ made a few copies available to the public, to be read in their offices at 722 Jackson Place, NW., across from the White House.

My constituents should have access to this report on national energy policy. It touches on such sensitive topics as the pricing of electricity and conservation of fuels. The fact that the chapter in its present form does not have unqualified administration endorsement does not detract from its usefulness. In fact, it may add to it.

The following excerpts from the energy chapter are reconstructed from notes taken by a member of my staff, who read the missing chapters, in accordance with executive branch ground rules, in the CEQ conference room:

INTRODUCTION

"In the past one hundred years, the nation's total consumption of energy has multiplied seventeen-fold, and this accelerating trend is expected to continue. Unfortunately, energy consumption now causes damage to the environment from the extraction of the resource to its ultimate conversion into useful energy. And as our use of energy has multiplied, so have the attendant environmental impacts. These side effects of energy consumption are a serious problem and a major public concern.

"This chapter examines the factors underlying our increasing demands for all energy. It also considers the particularly rapid growth in demand for electrical energy. For this reason, it examines the major systems which convert the raw energy resources into electricity and the environmental impacts of these alternative electrical energy systems. The chapter then discusses the major avenues open to us to halt environmental degradation associated with the generation of electricity and provides a preliminary assessment of the increased cost of electrical energy with environmental controls. Finally, it sets forth a methodology to help analyze national energy policy issues. . . .

"THE DEMAND FOR ENERGY"

U.S. consumption of energy in 1971 was almost 71 million billion (70×10^{15}) BTU's.

The productivity of our economy "has been substantially increased by energy intensive tools. . . ." There is a strong relationship between energy consumption and standard of living.

The following table shows: "Market Saturation—Percent of Homes with these Electrical Appliances." The table figures show a marked increase in percentage from 1960–70:

Appliance	Percentage of homes with this appliance	
	1960	1970
Electric range	37.3	55.5
Air conditioner	15.1	40.6
Dishwasher	7.1	26.5
Vacuum cleaner	74.3	92.0
Washer	85.4	92.1
Dryer	19.6	44.6
TV	89.4	141.2

". . . Residential consumer decisions to use more electricity are certainly influenced by the fact that it is not very costly. . . . These trends in the residential sector are also seen in the commercial sector, where increased use of electricity for all types of appliances is growing without any end in sight."

Our transportation system relies increasingly on energy. Twenty-four percent of all energy consumed in the nation is used to transport people and materials. Of this, 55% is used by automobiles, 21% by trucks, 8% by aircraft, 3% by railroads, and the remainder by other modes of transportation (buses, pipelines, etc.)

". . . In every area of transportation there is a growing demand for more energy, and this trend is likely to continue unless the cost of energy rises dramatically. There is now more than one automobile for every two people . . .

". . . Indeed, industry is the largest consumer of energy today."

Manufacturing production has more than doubled from 1950 to 1968. The number of man-hours worked has risen only from 23,717 million to 28,287 million—a worker-productivity increase of 85%.

". . . Capital and energy intensive processes have replaced human labor, partly because energy has been inexpensive compared with wages . . .

"One other major trend in energy demand must be emphasized—the escalation in the use of electricity. Its consumption is growing at a rate of 7% annually, or twice as fast as all other energy use. . . .

"Both total energy use and our rising dependence on electricity are largely due to the low cost of energy. Because energy is not expensive, home owners and industry are increasing their consumption. . . . Hence, the task of policy makers is to plan for energy supply systems that can meet these needs with the least damage to the environment . . .

"An energy system has six components: extraction, processing, transportation, conversion, transmission and consumption . . ."

Man, historically, first relied on his own muscle strength as an energy source. He subsequently learned to make fire, wind, water and beasts of burden work for him. In the nineteenth century, wood was the principal energy source.

Today we rely on fossil fuels. In the future, perhaps we will rely on nuclear power.

"Coal is this country's most abundant energy resource and it will continue to be an important contributor of energy to 1985 and beyond . . .

"Oil is estimated to remain the major energy source from 1970 to 1985, increasing from 42.5% of total energy resources in 1970 to 46.9% in 1985. Measured in absolute terms, oil use in 1985 is estimated to be double that of 1970 . . .

"Natural gas demand from 1970 to 1985 is expected to be great, but domestic supplies are limited. Natural gas availability will be highly dependent upon pricing policies and our longer term ability to get more gas with stimulation techniques or coal gasification. It is also expected that natural gas will decline in relative significance as a component of total energy supply . . .

"Nuclear power will be used at an ever increasing rate between now and 1985. By then, it is estimated to be 15% of total energy—all in the form of electric power. . ."

New systems are emerging. ". . . the extent of their use is largely unknown today . . .

"The factors governing these expected changes in the energy mix are complex. Historically, both supply and ultimate price have been major factors in the demand for each resource. And relative price, which leans heavily on technology, resource availability and, to an unprecedented degree on environmental protection, also will figure in any future use of energy sources . . .

". . . natural resource shortages are not likely to limit energy supply in the long-term." Our coal supply will last for hundreds of years if we can control the environmental impacts of its use. Breeder reactors can extend our uranium supply almost indefinitely.

". . . And in the short-run, the United States will have to import considerably more energy in the form of oil and natural gas, which could strain our balance of payments and make us more dependent on insecure sources of supply . . .

"The real questions about energy availability for the future are, can we plan for and build the energy systems we will need, and how much will energy cost, both in economic resources and environmental quality? . . .

"WHAT ENERGY CONSUMPTION DOES TO THE ENVIRONMENT

"Few realize the degree to which energy systems affect the environment although many are aware of damages from specific energy activities. Converting fossil and nuclear fuels into energy leads to air pollution, water pollution, solid waste generation, land disruption and aesthetic degradation. Automotive air pollution, thermal discharges to lakes and streams, and land destruction by surface mining typify the diverse environmental damages of energy consumption. Energy is central to most things we do—transportation, manufacturing, and household conveniences—but environmental degradation is the price we pay. . . .

"AIR POLLUTION

". . . energy systems account for over 72% of the total of ——— [sic] tons of air pollutants. Emissions from the combustion of fossil fuels in transportation—diesel oil and gas—are the largest source of air pollution. The second biggest group includes emissions from powerplants and from the use of fuels that generate heat. These two groups account for over two-thirds of all air pollution by weight . . .

"WATER POLLUTION

"Industrial processes, rather than energy production, account for the major share of oxygen demanding wastes (BOD) and other physical and chemical forms of water pollution."

Various forms of water pollution resulting from energy production are: oil spills, brine generated by oil extractions, acid mine drainage and siltation from coal extraction, and thermal discharges from electric powerplants.

LAND POLLUTION

Surface mining has affected over three million acres of land. Two-thirds of this area needs to be reclaimed. Forty-one percent of the total area affected has resulted from energy fuels extraction.

Deep mining has resulted in subsidence of land over mined-out areas. Nine million acres have been undermined by deep coal mines.

". . . And by the year 2000, over thirty million acres may be damaged by all mining, if reclamation is not undertaken. That is an area as big as the states of Maine, Massachusetts, Rhode Island and Connecticut together."

By the year 2000, the land area used by overhead transmission lines will be 8.5 million acres— ". . . an area larger than Delaware and Maryland combined . . .

"SOLID WASTES

"Energy consumption also generates solid wastes. Of the estimated total of 4.3 billion tons of solid waste produced annually, mining wastes account for almost 40% of it, with coal mining a big offender . . ."

Furthermore, solid wastes can catch fire, thus adding to air pollution. These wastes, through ground runoff or leaching, can also impair surface or ground water quality.

". . . In 1970, electric power generation from nuclear plants produced about 100,000 gallons of high level radioactive solid wastes. By the year 2000, this may increase to 6 million gallons annually. These wastes must be permanently stored because they can remain highly radioactive for thousands of years and present a very long-term, environmental hazard. A search for a national repository for these wastes is currently underway, but no acceptable site has yet been found. Also one million cubic feet of low level radioactive wastes were buried in 1970 and the quantity will triple by 1980. . . .

"ELECTRIC POWER ALTERNATIVES: THEIR ENVIRONMENTAL EFFECTS

"Because energy consumption is a major contributor to environmental degradation, political decisions on future sources, conversion processes and mixes of energy systems must be carefully charted. Environmental impact data must be developed for total energy systems. . . . For example, one fuel may cause twice as much total particulate emissions as another, but supply four times the energy. . . .

"This chapter evaluates the environmental impacts of electric power generating systems to illustrate how the analysis can be done and what results to expect. . . ."

A 1000 megawatt MWe plant operating at 85% capacity for one year—typical of electric powerplants now being built—is taken as the basis of comparison. "It generates nearly 7.5 billion kilowatt-hours annually or enough to meet the demands of a city of 1.3 million people."

COAL

The extraction process results in disturbed land, solid wastes, and water pollution. Processing produces solid wastes, water and air pollution. Transportation of coal involves air pollution from railroad train engines, land used by railroad right-of-way, and human fatalities from accidents. The conversion process pollutes the air (SO_x, NO_x, and particulates) and results in solid wastes and thermal discharges to water. Transmission of energy produced by coal entails line rights-of-way.

OIL

". . . Thus for oil-fueled electric power systems, the major land impacts are from transmission lines and domestic transport. The major sources of water pollution are off-shore oil extraction and oil transport, while air emissions are a problem primarily at the powerplant and the refinery. . . ."

GAS

Natural gas causes the least damage to the environment.

"NUCLEAR

"Uranium ore is extracted surface [sic] or underground mining after which it is concentrated in a complex process called milling. Because of the high energy value of uranium, relatively little land is affected in supplying the annual needs of a 1000 MEe powerplant.

"After milling, the concentrate is chemically converted, enriched, and fabricated. Also, spent fuel from the powerplant is reprocessed and then reintroduced into the enrichment operation. These processing steps generally occur at different sites so that transportation is required. The enrichment operation in particular causes significant radioactive emissions to the air. Also, solid wastes pose a disposal problem.

"As for transportation segments, the major environmental hazard is the potential of an accident. Because the fuels and wastes are very compact, there are few other transportation impacts.

"After the fuel is fabricated, it is transported to the powerplant where the electricity is produced. At the powerplant, there are radioactive emissions to air and water, and considerable waste heat emissions to water. And, for the nuclear fuel system in particular, the transmission line rights-of-way are the dominant land use.

"Thus, the processing steps, and especially enrichment, are the largest sources of high level radioactive solid wastes and radioactive emissions to air. The powerplant produces less radioactive emissions but is responsible for considerable thermal discharges to water."

There is difficulty comparing diverse categories of energy. More sophisticated methodologies and indeces are needed.

". . . Table IV summarizes these environmental impact data for each electrical power system without environmental controls."

Severity ranking key:

5=serious, 4=significant, 3=moderate, 2=small, 1=negligible, 0=none.

System classification	Air impact	Water impact	Solid wastes	Land impact
Coal:				
Deep mine	5	5	3	3
Surface	5	5	4	5
Oil:				
Onshore	3	3	1	2
OCS	3	4	1	1
Imports	3	4	1	1
Natural gas	2	1	0	2
Nuclear	2	4	4	2

This severity-ranking index is acknowledged to be the subjective view of CEQ.

". . . While conventional water pollution from the nuclear power system is also low, but [sic] it does produce some radioactive emissions and about fifty percent more waste heat than any of the other systems. This large heat load, rather than the radioactive discharges, accounts for its high severity rating . . .

". . . The nuclear system produces little

solid waste but some of it is highly radioactive. This is the reason for its high severity rating . . .

". . . Comparing a nuclear power system and the fossil fuel alternatives points up several important environmental tradeoffs. It highlights the difficulty of identifying the most desirable system when the impacts of each system are very different.

"A nuclear power system requires a very small quantity of fuel and, consequently, only limited extraction and transportation. Because these activities are the largest sources of occupational deaths and injuries, the nuclear power system causes few deaths and injuries. Also, there is little land disruption either for extraction or transportation rights-of-way. Because the nuclear system requires no refining or combustion, there are literally no emissions of our most common air pollutants—sulfur oxides and particulates. There are, however, low levels of radioactive discharges which are persistent in all media and which, at high levels, are known to be harmful to all forms of life. Radioactive and extremely long-lived, these solid wastes must be monitored constantly, even after burial. Also, because nuclear plants are less efficient, thermal discharges to receiving waters are about fifty percent greater than for any of the fossil fuel systems. Finally, there is a great range of potential accidents from nuclear power plants and processing facilities—from very small intermittent releases of radioactive materials to major reactor malfunction. Should the worst type of reactor failure occur, which current nuclear plants are designed to avoid, the potential for large scale damage to human health and the ecosystem is vastly greater than for fossil fuel systems.

". . . Natural gas is by far the least environmentally damaging of the fossil fuel alternatives." (However, current recoverable reserves are limited.)

". . . In the absence of controls, our most abundant resource, coal, causes the widest range of environmental damages. . . .

"ENVIRONMENTAL CONTROLS FOR EXISTING ELECTRIC POWER SYSTEMS

"Controls are possible to reduce the environmental damage from electric energy production, and in many cases these have been mandated by Federal, State and local legislative or administrative action."

Table V shows what can be achieved through environmental controls:

System classification	Percentage change— Air impact	Water impact	Land impacts [3]
Coal:			
Deep mine	−88	−91	+34.0
Surface	−88	−96	−39.0
Oil:			
On-shore	−75	−64	+1.4
OCS	−75	−48	+1.4
Imports	−75	−32	+1.7
Natural gas	0	−90	0
Nuclear	([1] [2])	−90	0

[1] A controlled nuclear system emits 396,000 curies to the air, or a reduction of 31 percent from existing systems.
[2] A controlled nuclear system emits 54,000 curies to the water, or a reduction of 40 percent from existing systems.
[3] Land impacts are reduced by reclamation but are increased for solid waste disposal.

. . . Not included in the table are thermal discharges to water, because wet natural draft cooling towers at the powerplant in each system can virtually eliminate that problem. . . .

"THE COST OF ENVIRONMENTAL CONTROLS

"As control techniques are implemented, the cost of electric power will rise. . . . the control costs will be significant."

The cost of coal-based electric power will increase about 25% with the implementation of control techniques. The costs of nuclear and gas-fired systems will increase under 10% and of oil-fired systems about 20%. The percentage increase estimated is in costs and not in prices.

". . . as environmental controls are required, emerging energy systems that are expensive now compared to existing alternatives, but are less economically damaging, may become more economically attractive. . . .

". . . These expected changes in the mix of energy systems are desirable. They spring from an internalization of the environmental costs of energy production and consumption. Subject to fuel availability, they will stimulate use of those energy systems that are the least damaging to the environment. . . .

". . . total energy use also may be affected. Put another way, somewhat less energy may be used than would be the case without controls, and more other products and services, which do less inherent environmental damage, may be purchased instead. . . .

"EMERGING ELECTRIC POWER GENERATING SYSTEMS

". . . Assessing the environmental impacts of emerging systems is difficult . . . but must be done before full-scale development begins . . .

"Among the many emerging energy systems, those with the greatest promise for use within the next two decades include oil shale, coal gasification and stimulation for increased gas recovery, as well as several types of advanced nuclear power systems.

"In the longer term, nuclear fusion and solar energy systems hold great promise of significantly freeing us from our reliance on the earth's natural resources."

HIGH-TEMPERATURE GAS-COOLED REACTOR

Uses helium as a coolant rather than water. Thermal wastes are thus reduced. Because the cooling-effect is greater with this type of reactor, there is less danger of a major reactor accident. A 40 MWe high-temperature gas-cooled reactor pilot plant has been in operation since 1967. A 330 MWe demonstration plant is scheduled for operation by the end of 1972.

FAST BREEDER REACTOR

The liquid fast breeder reactor (LMFBR) currently has the highest priority for development. It may be in commercial use in less than two decades—on a large scale. This type of reactor produces 40% more fuel than it consumes. This is the principal difference between the LMFBR and the conventional light water reactor. The fast breeder reactor converts uranium into plutonium.

The projected impact of the LMFBR is that there will be a significant reduction in total radioactive emissions and thermal discharges.

". . . However there are several other factors that warrant careful consideration." Theoretically, reactor failure can occur more quickly in the LMBFR than in a light water fission reactor. The plutonium generated by the breeder reactor remains radioactive for thousands of years. ". . . safe storage and handling techniques are necessary."

EFFICIENCY

There are several ways of reducing environmental problems associated with energy: one, by putting additional controls on existing energy systems; two, by developing new systems with fewer environmental problems; and three, by introducing greater efficiency into existing systems.]

". . . It is apparent . . . that each electric energy system has a very low overall efficiency . . . there are large areas for improved efficiency, particularly in resource extraction and powerplant design. . . . By locating powerplants near industrial complexes, rejected heat could be used for industrial process heat."

An energy storage system could be devised to offset peak power requirements.

". . . The graphs also indicate that with total production of electric power growing rapidly, air and water pollution emissions will eventually become more severe than they were in 1970—even after implementation of current control technology. At some point, then, even more stringent controls will be required just to keep environmental quality from declining further.

"TOWARD AN ENVIRONMENTALLY SOUND ENERGY POLICY

". . . The nation's energy demands have grown dramatically in the last several decades, and a number of economic and social factors indicate that this trend is likely to continue. . . .

"With this increase in energy use has come a tremendous increase in our material well-being. But the complex, pervasive energy system which has developed to supply this demand leads to two important interrelated effects. First, there has been widespread environmental damage from energy production and consumption. Second, because energy is inexpensive and generally fails to take environmental degradation into account, existing systems are very inefficient. They consume large quantities of energy resources to produce power in convenient forms. . . .

"In this period of increasing energy demand and growing public concern over environmental degradation, the nation must inevitably make a number of important decisions to augment current energy supplies while protecting and enhancing environmental quality. . . .

". . . the costs of various energy systems should be determined with environmental controls included. . . .

". . . The effect of price increases from environmental controls will have by far the most important impact in encouraging more efficient and environmentally desirable forms of energy use in the future. However, for energy consumers to respond to these changing costs, it is important that government actions not restrain market forces.

"Because it is not always easy for consumers to determine total energy costs for alternative purchases, the Federal Government has the role of stimulating energy conservation and providing information to the public . . .

"More difficult, perhaps, are government actions to upgrade the efficiency of energy systems. . . . Increasing attention must be paid to efficiency. The Council believes that stepped up efforts to improve the efficiency of energy systems can yield significant environmental and economic benefits.

"Finally, the Federal Government must continue to assess at the national level the impacts of proposed new technologies to meet projected energy needs. With the National Environmental Policy Act, we already have a strong tool to force assessments of the environmental impacts of new energy systems. . . .

". . . Energy is responsible for a major share of our environmental problems, and its interrelationship with the quality of the environment requires a broad policy focus. Rationalizing energy and environmental considerations is dependent both on consolidating Federal energy programs under a Department of Natural Resources and on developing analytic techniques such as those discussed in this chapter. For without a comprehensive institutional base and adequate analytical tools, we will be unable to reconcile demands for dependable energy supplies with demands for a higher quality environment."

REPORTORIAL RESPONSIBILITY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, as many of my colleagues know, for many years I was a news correspondent for papers in the East St. Louis area and I am still a member of the National Press Club. It seriously concerns me when I uncover bad journalism.

In the Monday, August 14, 1972, edition of the Washington Post there was an article attributed to the Associated Press which stated that the unfortunate death of two persons at the Virginia Electric & Power Company's nuclear plant in Surry, Va., was caused by a nuclear accident. The article went on to state that a Mr. Stephens, president of the Environmental Action Center, claimed that his group knew this to be a fact because of information received from VEPCO employees and from tests on the reactor.

When I learned of this article, I immediately had the Joint Committee on Atomic Energy staff try to contact Mr. Stephens or some other member of his Environmental Action Center. What I learned was that there is no such group as the Environmental Action Center. The Joint Committee was unable to contact Mr. Stephens at his Alexandria home. The staff did contact a Mr. Love from Environmental Action, Inc., and he said that Mr. Stephens had been using the name of his organization but had no contact with any known reputable environmental group. In the August 14 edition of the Star and in the August 15 edition of the Washington Post there is essentially a retraction of the original AP story.

It would seem to me that good journalism would dictate a thorough check of such a story. A simple telephone call to Mr. Love of Environmental Action, Inc., could have averted this erroneous report. Such a minor effort would have protected the Associated Press from distributing a story which borders on the science fiction put forth by those with special interests. These special interests include trying to dupe people into supporting nonexistent organizations. This is sometimes called fraud.

The fact of the matter of the unfortunate accident at Surry, Va., is that the powerplant recently came on line and is still undergoing tests. The reactor had been shut down the day before the two men were scalded, when a steam vent failed. The water was being heated by other than nuclear means at that time. No radioactivity whatsoever was involved.

Mr. Stephens should be embarrassed, as should the reporter who listened to him, for the great disservice they did this country.

In order that the Members of this body may have the benefit of the facts in this case, I ask unanimous consent to have printed in this RECORD a press release on this matter issued by the Atomic Energy Commission on August 17, 1972.

The press release referred to follows:

PRELIMINARY SUMMARY OF AEC INVESTIGATION OF STEAM ACCIDENT AT SURRY PLANT

On July 27, 1972, two employees of Virginia Electric and Power (VEPCO) were seriously burned by escaping non-radioactive steam at the Company's Surry Nuclear Power Station, Surry, Virginia. Both men died within a few days at the Medical College of Virginia Hospital in Richmond. The Atomic Energy Commission's Directorate of Regulatory Operation is investigating the accident. AEC inspectors were at the site on July 28–30 and August 3–5 reviewing the details of the accident, interviewing VEPCO management personnel and reactor operators and other employees, and examining pertinent plant records. While the AEC investigation is still incomplete, preliminary conclusions are as follows:

1. No radiation or contamination was encountered or released during the course of the accident or as a result of it.

2. The nuclear operation of the reactor had been discontinued on July 26 for maintenance and testing under shutdown conditions in accordance with normal practice and did not contribute to the cause or severity of the accident.

3. The accident resulted from a disconnect of the decay heat valve nozzle from its vent pipe and was a consequence of either inadequate design or installation. No weld failures have been discovered during the course of investigations which are continuing.

The following pertinent facts relate to the accident:

The Surry I reactor had completed startup testing at the 30 percent power test plateau (236 Mwe) on July 26 and was shut down that evening to conduct maintenance and additional testing with the reactor in a shutdown condition. At 7:15 a.m. on July 27, with the reactor shut down, the operator planned to control the reactor primary coolant temperature by venting steam from the secondary (non-radioactive) side of the steam generators to the atmosphere (heat was being added to the primary coolant system by operation of the main coolant pumps and reactor decay heat). The operator attempted to open the two power relief valves which vent secondary system steam to the atmosphere; however, these valves failed to open. Two technicians were sent to the equipment room where the valves are located to investigate the failure.

The operator initiated venting to the atmosphere through the decay heat release system. The decay heat release system is normally used to dissipate heat from the reactor by venting secondary steam to the atmosphere after the reactor is shut down. When the decay heat release control valve was opened, the 4½ inch valve discharge nozzle disengaged from the 8-inch exhaust pipe which vents to the roof of the building. The disengagement of the nozzle from the vent pipe was caused by the reaction force of the steam jet when the decay heat valve was actuated. This resulted in the release of non-radioactive secondary steam to an equipment room located between the reactor and turbine buildings.

The two instrument technicians, who were inspecting the power relief valves in this room at the time of the occurrence, received second and third degree burns over sixty percent of their bodies. No radioactivity was released and no personnel exposure to radiation was incurred as a result of the accident.

Excessive movement of the decay heat release system piping had been observed and had been reported by the operators during earlier plant tests. The problem had been scheduled to be corrected during the shutdown in which the accident occurred.

Corrective actions have been made by VEPCO and have been reviewed for adequacy by the AEC. These include: securing the valve nozzle to the vent pipe, securing the valve actuator to wall braces to limit movement, and several changes to improve egress from the equipment room and control access to the room. The plant is expected to resume operations in the next day or so. The AEC investigation and analysis is continuing, and a full report will be issued.

DRUG AMENDMENT PROVES VALUE

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the decision by an appeals court in Paraguay to extradite drug trafficker, Auguste Ricord, marks an important milestone in international narcotics law enforcement. It is an action which promises improved cooperation in the future, and which demonstrates the significance of section 481 of the foreign aid program, directing the President to cut-off foreign aid to any nation which fails to cooperate in combating drug traffic. Though aid was never actually terminated in this case, this provision provided the crucial leverage on a Paraguayan Government otherwise reluctant to take enforcement action.

The Ricord case has been pending since March 1971, when Ricord was arrested at the request of the U.S. Government for his role as a kingpin in Latin American narcotics smuggling operations. Ricord was considered a particularly valuable catch for his intimate knowledge of the "Latin Connection" which is to a large degree replacing the "French Connection" as the prime source of narcotics entering the United States.

Because of Ricord's importance, the United States asked for immediate extradition. Unhappily, no action came as Paraguay officials pondered the case for more than half a year before the courts took up the matter. When the problem finally reached the courts, the judge rejected the extradition request on the grounds that Paraguayan-American extradition treaty of 1913 did not specifically mention narcotics. The Ricord case was appealed to a higher court but it appeared that Ricord might avoid major punishment.

In April 1972, I wrote to Secretary of State Rogers to express my concern over the Ricord case. As the author of section 481, I felt that the failure to extradite Ricord was a disregard of the spirit of cooperation which this provision was intended to foster. Mr. David M. Abshire, Assistant Secretary of State for Congressional Relations, informed me at that time that the text of section 481 had been "communicated" to the Paraguayan Government.

I feel that the recent decision to extradite Ricord is in large part the result of that "communication." Under the threat of a cut-off in U.S. foreign aid, and under the pressure of unfavorable international publicity, the appeals court determined that Ricord was covered by the spirit of the 1913 treaty, if not by the letter.

Hopefully, the Ricord extradition will mark a significant improvement in cooperative efforts between the United States and all nations which are located on the narcotics supply routes. The extradition of Auguste Ricord does not mean that the flow of narcotics into the United States will dry up. However, it

does mean that another link has been broken. And it means that section 481 of the foreign aid program can be an important tool in combating the illegal drug traffic.

THE PRESIDENT'S ECONOMIC STABILIZATION PROGRAM

(Mr. BROWN of Michigan asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of Michigan. Mr. Speaker, it has been just over a year since the President announced his new economic policy, a program designed to curb the skyrocketing rate of inflation.

While all of us recognize that problems remain in certain segments of the economy, the progress is notable and I think we should all realize that we are better off today than we were a year ago.

For instance, inflation today is at an average annual rate of 2.7 percent. Last year at this time it was at an unsatisfactory average annual rate of nearly 4 percent. The goal is to get the rate of inflation to between 2 and 3 percent and I think the administration is well on its way toward achieving that mark. I commend the following assessment of the economic stabilization program by Cost of Living Council Director Donald Rumsfeld and some news articles and editorials to the attention of my colleagues:

AN ASSESSMENT OF THE PERFORMANCE OF THE ECONOMY UNDER THE ECONOMIC STABILIZATION PROGRAM

(By Donald Rumsfeld, Counsellor to the President of the United States and Director of the Cost of Living Council)

THE NEW ECONOMIC POLICY

Since August 15, 1971, the Administration has been pursuing a new economic policy designed to stimulate a vigorous expansion in domestic economic activity accompanied by a reduction in the pace of price inflation. The performance of one of the components of the policy mix adopted, the Economic Stabilization Program, should be assessed in terms of its ability to stabilize prices and wages, without chilling the economic recovery stimulated by expansionary fiscal and monetary policies.

THE ECONOMIC SITUATION LAST YEAR

Such an assessment must begin by reviewing the economic picture one year ago. First, although employment, productivity and output had begun to rise, the pace of the recovery was not satisfactory. There was, therefore, a need to provide greater economic stimulus for the economy to reduce unemployment and achieve a rate of output growth closer to the production potential of the economy.

Second, although the rate of inflation had been declining for more than two years, prices were still rising at an unsatisfactory rate near 4 percent. The dominant view was that the continuing inflation was mainly the result of cost increases forcing up prices, providing the necessity for further cost and price increases on a self-sustaining basis. Support for this view of the process was drawn from evidence of continuing large wage and labor cost increases under new collective bargaining agreements and continuing increases in wholesale industrial prices.

There was, consequently, widespread concern that additional stimulus applied to the economy would simply be dissipated in rising inflation with little impact on real output and employment.

It was against this background that the freeze was imposed and the post-freeze system of controls was developed. Both the freeze and the Phase II controls were designed to break the inflation psychology and to limit wage and price increases to rates compatible with a gradual return to full employment coupled with price stability.

PROGRESS UNDER THE STABILIZATION PROGRAM

The freeze was successful. It met with broad public support and voluntary cooperation. However, the freeze was too rigid and inflexible to be maintained for an extended period of time. A more flexible and equitable system was necessary to permit necessary market adjustments, efficient operation of the economy, and expansion in production and employment.

As we approach the first anniversary of the new economic policy, a review of developments in prices, production and employment over the past year provides some insight into the program's success.

PRICES

The overall evidence on the price-front clearly indicates that substantial progress has been achieved in reducing the rate of inflation. The term "overall evidence" is used because the appraisal is complicated by the sharp break in price trends generated by the freeze.

Prices were subject to a 90-day freeze after August and this was followed, as was expected, by some bulging after the freeze itself was lifted. This poses the difficult question of which period one should look to in assessing the results. Some would look to the entire period since August—but for others this produces a result that may be biased downward because it includes the nonrecurring episode of virtual stability during the freeze period. Others would look only to the post-freeze period, but for some this introduces an upward bias because it includes the non-recurring episode of the post-freeze bulge. To confuse the issue further some would include raw farm prices, because people have to eat after all, while others would exclude these prices because they tend to display large movements, up and down, that are not closely connected with the overall pattern of price trends.

Given these basic difficulties, the easiest thing to do is to summarize the evidence and allow you to judge.

Before August 1971, the Consumer Price Index had been rising at about a 4 percent annual rate. The exact number varies with the span of time considered before August. The 10-month rate to August 1971 was 4.0 percent; the 7-month rate was 3.9 percent; and the 3-month rate was 4.1 percent. In June 1972, the latest month for which consumer price data are available, the rate of increase in the Consumer Price Index was about a full percentage point lower. The 10-month rate to June was 2.7 percent; the 7-month rate was 3.1 percent and the 3-month rate was 2.2 percent. The 7-month figure excludes the freeze but includes the last winter's bulge in food prices. To take the best statistic, for non-food commodities in the Consumer Price Index, the rate of increase since last August has been 1.7 percent. To take the worst, food prices have gone up 4.0 percent in the 7 months of Phase II, compared with a rate of 5.5 percent in the 7 months preceding the freeze. Since the interim price target is to get the rate of increase in consumer prices down durably and clearly below 3 percent by year-end, the evidence clearly indicates that we have made substantial progress in achieving this objective of the New Economic Policy.

Other data depicting price performance over the last year are also available. Since last August the WPI has risen at a rate one full percentage point lower than the pre-program months of 1971, even though farm prices rose abnormally during February and July. The GNP implicit deflator increased at an annual rate of 2.1 percent last quarter compared to rates in excess of 4 and 5 percent in pre-program periods.

OUTPUT, EMPLOYMENT, AND EARNINGS

The improved price performance is taking place in a context of vigorous economic expansion.

The strength of the recovery is indicated by growth in real output at an average annual rate over 7 percent during the last 3 quarters, more than double the 3 percent recorded in the 1971 period prior to the launching of the New Economic Policy. Since August 1971, there has also been an increase in employment of about 2.5 million persons pushing the unemployment rate down to 5.5 percent. The brisk economic expansion has been widely based and supported by increases in both capital investment and consumer spending. The surge in production has led to healthy gains in corporate sector income, permitting increases in both profits and real wages. The 5 percent average annual increase in productivity in the last three quarters has been reflected in real spendable earnings rising at an annual rate of over 4 percent, contrasted with virtually no growth in real wages in the last five years of the 1960's.

BALANCED IMPACT OF THE PROGRAM

Some who have criticized the operation of the program have conceded that progress against inflation has been achieved. Critics from this side have alleged that the progress that has been achieved in reducing inflation was achieved at the expense of workers and their wages. One of the purposes of the program, of course, is to reduce the rate of increase in nominal wages toward levels consistent with long-term projected productivity gains. Nominal wage rate increases have slowed considerably during the program period. The 5.6 percent increase in average hourly earnings since last August is at least one percentage point lower than in any comparable period before the program began. However, since wages have moved up faster than prices, real purchasing power of workers has advanced significantly. In fact, real take home pay of the typical rank and file worker has increased at an annual rate of 4.5 percent since the program began, reflecting both the relative behavior of wages and prices as well as the increase in hours worked and changes in Federal taxes. Finally, the real earnings growth has been more broadly shared as a result of the expansion in employment.

Skepticism has also been expressed concerning the program's treatment of corporate profits. Some have been concerned that business profits might be adversely affected by the Price Commission's profit margin limits. On the other hand, there are those who argue that prices and profits have been allowed to expand while wages were being held down. The merits of these opposing arguments can be evaluated by reviewing briefly the application of Price Commission regulations and recent movements of corporate profits.

There is no limit on either the absolute size of a firm's profits or its profit margin when increases are the result of rising sales volume or increased efficiency. If a firm increases its prices, however, its profit margin is limited to the ratio of its profits to sales during the base period. Some price reductions and rollbacks have occurred as a result of the profit margin limitation. The extent of the rollbacks and reductions is limited to either a reduction of all prices to base period levels or a reduction that leads to a profit margin equal to that in the base period, whichever is less.

Total corporate profits have risen cyclically since late 1971 primarily reflecting the strong economic recovery. Corporate profits were

about 8.5 percent higher in the first quarter of 1972 compared to the same quarter one year earlier. As a percentage of income originating in corporate business, however, profits are still considerably below the average of the last half of the 1960's.

GENUINE PROGRESS

Another question frequently asked is whether the progress recorded against inflation is temporary and artificial, achieved only with the aid of the crutches of direct wage and price controls. The implication is that either prices and wages will explode when the crutches are removed or that the crutches will have to become a permanent part of the future.

A number of characteristics of the controls mechanism as well as recent program actions do not lend credence to this argument.

First the system was not designed and implemented in a way that involves significant cost absorption by business or the counterpart of cost absorption in wages. The regulations permit pass through of allowable costs for prices, and there are provisions for catch-up, tandem arrangements, and other exceptions to avoid inequities in wages.

Second, a fraction of the economy has been exempted from controls on both pay and prices under the exemption of small firms with 60 employees or less. An additional large segment of the work force was exempted under the low wage exemption of $2.75 per hour. Reliance has therefore been placed on a combination of competition and controls. These factors help to assure that the basis is being laid for continued improvement in price performance when cost-push forces recede and controls are no longer needed.

LIMITED PURPOSE AND EXTENT OF THE CONTROLS

Finally, after one year of controls, it is appropriate to ask whether the mechanism has been efficiently administered while maintaining the characteristics of a limited control program.

The controls have remained limited in the sense that there has not been a major expansion in the bureaucracy involved in implementing the controls. Indeed, significant sectors of the economy have been progressively removed from the controls. We have registered the tendency to expand into more and more detailed regulation of all economic transactions. We have not become so enamored with the operation of the controls that the fundamentals in avoiding demand-pull inflation through responsible monetary and fiscal policy have been neglected or de-emphasized. Indeed, they are most important in avoiding a repetition of our experience in the late 1960's.

The Economic Stabilization Program has operated in a manner sufficiently flexible to avoid the emergence of significant waste and in efficiency in the economy. The controls have not placed undue strain on institutional arrangements in the economy. The standards have been implemented with sufficient flexibility and the goals that were set were sufficiently realistic so that major industrial disputes have been avoided. The level of strike activity, traditionally high during a control period, has been below that of other recent years. This industrial peace is attributable to the cooperation of labor and management under the program in collective bargaining situations, and has been a significant factor in achieving a high rate of growth in real output under the New Economic Policy.

[From the Washington Post, Aug. 13, 1972]

PROGRESS SEEN ON ECONOMY

(By Hobart Rowen and James L. Rowe Jr.)

President Nixon asserted yesterday that his year-old New Economic Policy has produced "tangible pocketbook progress for the American people."

But he noted that the unemployment rate must be cut "much further" and that "the price of food remains a major concern." He reiterated an earlier warning that congressional failure to impose a $250 billion spending ceiling could result in "big increases in the cost of living, or big new taxes—or the first followed by the second."

The President's assessment of economic performance since Aug. 15, 1971, was contained in an introduction to an economic report by his Council of Economic Advisers, which updated the July 24 testimony before the Joint Economic Committee by the members of the council.

It was met by a prompt challenge from Democratic presidential candidate George McGovern, who said the results were but a "mini-recovery which didn't make up for the maxi recession" he said the Nixon administration had previously engineered.

The President's statement also was criticized sharply by the Democratic members of the committee to which it was addressed, who charged the administration with complacency about high unemployment.

Last Aug. 15, President Nixon instituted a 90-day wage-price freeze, allowed the U.S. dollar to "float" in world markets and imposed a 10 per cent surcharge on about half of total imports. He also proposed tax changes, including reintroduction of the investment credit to stimulate business investment. The freeze was followed by the current Phase II of wage-price controls.

The current debate about the results is occasioned by the imminence—on Tuesday—of the first anniversary of the Aug. 15 decisions. The administration not only marked the event with the special Presidential statement, but held a day-long briefing last Thursday for about 100 of the nation's business and economic writers. Reports on the briefing were embargoed for today.

Appearing before the reporters were Treasury Secretary George P. Shultz; Economic Council Chairman Herbert Stein and the other members of the CEA; Secretary of Commerce Peter Peterson; Secretary of Labor James Hodgson; Cost of Living Council Director Donald Rumsfeld; Office of Management and Budget Director Caspar W. Weinberger, and Paul A. Volcker, Treasury undersecretary for monetary affairs.

These officials echoed the President's claim that his new policies had substantially slowed the rate of inflation, stimulated the economy to new heights of economic growth and started workers' real earnings on an upward curve.

But they acknowledged that the inflation problem had not been licked. And they sidestepped questions about how along the present Phase II controls system will last. Current enabling legislation expires April 30, 1973.

With respect to inflation, Stein told reporters during the course of the Thursday briefing that the consumer price index in July—and probably in August as well—will rise more rapidly than in the past few months because of skyrocketing food prices.

But Stein said "the underlying trend of prices as a whole is very satisfactory" and consistent with the overall objective of limiting the consumer price index rise to 2 per cent to 3 per cent by the end of the year.

President Nixon, in claiming an interim success for his economic policies, cited:

The rate of increase in the cost of living, "which had been cut by one-third before the freeze, has now been cut in half."

An increase of 2.5 million civilian jobs over the past year.

A decrease in the rate of unemployment from about 6 per cent to 5.5 per cent.

A nearly 9 per cent annual increase in Gross National Product in the second quarter.

A 4 per cent rise in workers' real spendable earnings over the past year, "three times the average rate from 1960 to 1968."

Agreements among the world's major industrialized countries to confer on international financial and trade reform "which will susbtantially help us to improve our international competitive position as well as help other countries strengthen their economies."

The President said, however, that "we still have economic problems to solve . . . We must firmly establish a lower rate of inflation—both in fact and in the public expectations which help shape the economic future."

His comments came on the eve of a joint meeting between the Pay Board and Price Commission to discuss the current wage guideline, which restricts most pay increases to 5.5 per cent per year.

Administration officials and others, including Federal Reserve Board chairman Arthur F. Burns, feel that the 5.5 per cent standard must be reduced next year to keep the rate of inflation from rising again.

However, Treasury Secretary Shultz last week told a group of reporters that reduction of the pay standard probably had to await some further success in moving prices down. Democratic critics of the wage and price control have argued that the controls have curbed wage increases while allowing prices and profits to rise.

The Joint Economic Committee, in its statement, said "the wide publicity given to the improvements in economic performance in the last few months should not delude the public into believing that all is well with the economy.

"For the last three years, the economy has experienced a prolonged recession brought on through a deliberate policy of reducing the growth of output and employment in the vain hope that this would reduce inflation.

* * * * *

McGovern and vice presidential candidate R. Sargent Shriver, picking up on the Nixon administration's original analogy of an economic "game plan," said that in the first half of the year the economy gained almost enough ground to reach its own 2-yard line.

They charged that on unemployment and inflation the administration was "deep in its own end zone" in 1969, 1970 and 1971.

They noted that "Unemployment has been shaved to 4,785,000, a mere 75 per cent higher than in January, 1969. This is a mini-recovery, and the administration is entitled to take credit for it—as long as it takes the blame for the maxi-recession which it had previously engineered."

The Joint Economic Committee charged that unemployment is still too high and will remain so "without further policy efforts to reduce it." The committee said the administration's policies are "unduly influenced by a fear of inflation and by a stubbornly held, but erroneous belief that the way to control inflation is to restrict the growth of output and employment."

Stein told reporters at the briefing that in calling for a budget ceiling, "We have been accused of being in danger of stepping on the brake too soon; that is not our intention or expectation. But we are concerned about stepping too hard on the gas too soon, or too long, and that, of course, is the basis for our concern with the budget for fiscal 1973 and for fiscal 1974."

Cost of Living Council director Rumsfeld told the reporters that people can be "lulled" into thinking that the existence "of wage-price controls can enable us to do things in the area of fiscal and monetary policy you might not otherwise do."

Rumsfeld, who has headed the wage-price program since it was put in place in mid-November, called the President's new economic policies a success.

He named three key officials who deserve "hero's medals" for their efforts, including

his predecessor, Arnold R. Weber, now a Pay Board member; Pay Board chairman George H. Boldt, and Marvin Kosters, the Cost of Living Council's top policy planner.

Conspicuously absent from the list was Price Commission chairman C. Jackson Grayson Jr., whose seven-member panel in late June urged the administration to extend price controls to farm products to alleviate rapidly rising food costs.

Grayson is known to have irritated a number of administration officials because of his insistence on an independent stance.

Also at the Thursday briefing:

Treasury Under Secretary Volcker said the nation is seeking an international trade and financial system that will produce a "continuing equilibrium" in both the U.S. balance of payments and "in the balance of payments of other countries." The Economic Council lists elements of a trade agreement the nation would like to see.

Office of Management and Budget director Weinberger reiterated his charge that "Congress is on a rather dangerous spending path," and said the administration has done its part in reducing federal spending.

Labor Secretary Hodgson said that "for the rank and file worker" for the "earning scenario written by the President's program has been upbeat, with continuing money increases and, what is really more critically important to men that work for a living, a sharp improvement in real wage increase."

Commerce Secretary Peterson said the devaluation of the dollar, among other factors, has had a significant impact on the automobile industry. As a result of the lessening of the price differential between American cars and imports, foreign share of the U.S. auto market dropped from 18.8 per cent last August to 14 per cent in June.

Neither Grayson nor Boldt appeared on the Thursday program because, a White House spokesman said, Rumsfeld would be able to discuss the entire program. On a number of occasions, however, Rumsfeld declined to comment on such topics as revising the wage guideline or corporate profit margin tests because he said they were totally under the purview of the respective panels.

[From the Chicago Tribune, Aug. 13, 1972]

THE ECONOMY ISSUE—WHOSE WILL IT BE?

(By Edward Rohrbach)

WASHINGTON, August 12.—Whose issue will the economy be this election year?

The answer seems to depend on whether voters will judge it according to how well off they feel they are or what the cold economic statistics tell them. And the stories are different.

At a White House briefing this week, Donald Rumsfeld, director of the Cost-of-Living Council, admitted that he can't even convince his wife that the Nixon administration is checking inflation—as the indicators indicate.

Rumsfeld added that the polls show "people aren't feeling it yet." But he insisted that wage earners have more to spend and prices are going up at a markedly slower pace. He noted that real earnings are up 4.5 per cent since last August and the rate of increase in the cost of living is down since last August.

PUSHED BY DEMOCRATS

The irony is that for the administration, the economy should be positive issue, if for no other reason than the successful controls program was pushed hard by many Democrats months before President Nixon finally adopted it.

A year ago it looked like the deteriorating state of the economy was going to escalate it beyond the Viet Nam war as the administration's achilles' heel in the Presidential election.

"To take the best statistic, for non-food commodities in the consumer price index," Rumsfeld told reporters, "the rate of increase since last August has been 1.7 per cent."

"To take the worst, food prices have gone up 4 per cent in the seven months of phase 2, compared with a rate of 5.5 per cent in the seven months preceding the freeze [begun Aug. 15, 1971]."

The stated goal on the inflation front was to reduce the price rise to a rate of 2 to 3 per cent by the end of this year.

BETTER THAN RESULTS ABROAD

Herbert Stein, chairman of the President's Council of Economic Advisers and another of the top officials the administration presented at the press conference to tell the good economic news, cheerfully admitted that the results of the stabilization program since Nixon sprung the freeze on wages and prices a year ago on a surprised nation and world have been almost better than could have been hoped for.

Stein pointed out that the controls program in the United States has worked "without generating some of the evils" that virtually every other similar incomes policy has when attempted in other countries.

Massive confrontations with labor and strikes have been avoided, Stein said, while there has been no adverse effects on output.

The facts Labor Secretary James Hodgson supplied are even more impressive. He noted that the period of controls has registered an eight-year low for industrial work stoppages.

REAL GROWTH DOUBLED

So far as output is concerned, real growth not counting inflation has accelerated to an average annual rate of over 7 per cent in the last three quarters, more than double the pace of the nine months preceding the new economic policy. The last quarter increase was a whopping 8.9 per cent.

Hodgson projected productivity gains for the nation's work force at 4.5 per cent for the year, a very healthy increase. He called the second quarter's 6 per cent "extraordinary" and doubted it could be repeated.

JOB FIGURES NEAR GOAL

On the international front, Commerce Secretary Peter Peterson said there are signs the country's trade deficit is turning around. The best evidence overall, he said, is the sharp reduction of U. S. inflation, making American products generally more competitive in the world market.

Even the employment figures, which the Democrats are zeroing in on as the softest spot in the economy, are trending better and appear headed for the stated administration goals. Unemployment for the last two months has settled to 5.5 per cent, at midyear halfway to the 5 per cent target.

The jobless rate for heads-of-households is down to 3.3 per cent, Hodgson noted, and the rate for married men has fallen to 2.7 per cent.

Treasury Secretary George Shultz focused on the rise in real spendable earnings, that is, what people earn after the inflation and tax bites are taken out.

He noted that in the 1965–70 period, there was no real gain in this indicator, which should show whether they are getting ahead of the game or not. Since the start of 1971 this has risen markedly, increasing since the start of the stabilization program at an annual rate of 3.8 per cent.

PERMANENT CONTROLS DOUBTED

The thrust of the day-long comments on the economy by the top administration officials almost led to the conclusion that controls in some form might be a good idea as a permanent feature of the American landscape.

But free-marketers Shultz and Stein scotched that. Calling them "self-limiting," Stein added: "I think it is extremely unlikely that we are going to need or get any benefit from permanent controls of the kind we now have."

Shultz put it more succinctly:

"Freedom is part of your standard of living, too, you know."

[From Newsweek magazine, Aug. 21, 1972]

MR. NIXON "TOLD YOU SO"

The setting was a small, thickly carpeted auditorium nestled in a nook of the massive, baroque old Executive Office Building next to the White House. Present were the Nixon Administration's top economic seers, and their task was the happiest duty they had faced in months. For the first anniversary of President Nixon's new economic policy was at hand, and the Administration had gathered some 100 economic reporters to review the year's record. And for many of the correspondents, skeptical from the start about the value of the new Nixonomics, the charts, graphs and figures amounted to a forced diet of crow. With the Presidential campaign just getting down to business, Mr. Nixon's economic scenario seemed almost dead on target.

Treasury Secretary George Shultz, who had himself opposed wage-price controls right up to the time they were imposed on Aug. 15, 1971, began with the proud word that the rate of increase in consumer prices had dropped from 6.1 per cent in 1969 to 2.7 per cent since the freeze ended last November—"and if you take the last four months, the rate of inflation is less than 2 per cent." Even the price of food isn't as bad as the average housewife thinks, chimed in Donald Rumsfeld, chairman of the Cost of Living Council. "Food prices have gone up 4 per cent in seven months of phase two," he said, "compared with 5.5 per cent in the seven months preceding the freeze."

The economy itself was in a state of near boom, having chalked up an awesome growth rate of 8.9 per cent in the second quarter. Nobody expected that pace to continue; yet, in Shultz's words, "All the different kinds of things that you look at tend to show that this expansion is going to continue to be a strong one." The Treasury Secretary had been even more ebullient in private before the briefing, telling a White House colleague that the economy was "roaring" at such a clip that tax revenues for fiscal 1973 would almost surely top the current forecast. And this rosy view was generally shared last week by experts outside the Administration. "The U.S. has the fastest growth rate in the world, except for Japan," said William Wolman of Argus Research Corp., who predicted a jump of 9.8 per cent in gross national product this year and a gain of 9.5 per cent more in 1973.

Jobs: Problems, of course, remained—most conspicuously the continuing high unemployment rate. The best the Administration could promise was that the rate may fall to 5 per cent by the end of this year, and Democrats will surely make that a campaign issue. But Labor Secretary James D. Hodgson pointed out that the economy has added 2.5 million civilian jobs in the past year and that joblessness is now concentrated among teenagers and women who are not heads of families. Similarly, even though the nation's trade balance continues to deteriorate, Treasury Under Secretary Paul Volcker and Commerce Secretary Peter G. Peterson predicted that the full effects of last year's dollar devaluation would soon improve the picture. "Beware of generalizations in terms of competitiveness," Peterson cautioned. "We are very competitive in agricultural products. And remember that competitiveness depends on fair exchange rates."

The most ominous cloud on Mr. Nixon's economic horizon, it seemed, was that the economy might run altogether too strong. "We don't want a less rapid expansion," said Herbert Stein, chairman of the Council of Economic Advisers, "but we are concerned

it might be too fast." Most economists are conceding a slight increase in the rate of inflation in the coming months in any event, if only because of the continuing Federal budget deficits. Wolman of Argus Research sees a rise of 3.6 per cent in inflation next year, compared with a 3.3 per cent increase in 1972.

Slack: That would still be a long way down from the 6 per cent price rise of 1969, and few forecasters see any dangers of a return to runaway inflation soon. If, for instance, Federal tax revenues are accelerating as Shultz indicates, a major inflationary danger lurking in the background could well be stamped out. And other economists point out several equally dampening influences: growing productivity, slack in both the unemployment rate and the utilization of factory capacity, and the historically high rate of private savings that should permit the Federal Reserve Board to avoid any excessive increase in the money supply.

And around the country, Newsweek correspondents found businessmen, bankers and economists alike in a rarely unanimous glow of approval for the state of the economy. There was carping about the unemployment rate, the equity of wage and price controls and the continuing pace of inflation, but the only real heat came in debating whether Nixonomics had been responsible for the current economic climate. A year ago, says economist Walter Fackler of the University of Chicago, inflation was already subsiding and the economy was already headed upward, and the President's emergency program was merely "cosmetic and political." Oddly enough, that view is not altogether rejected even in the Administration; Shultz concedes that "it is going to be a long while before one can really disentangle the results and get a careful and considered assessment of just what has happened."

But however the bed was made, the Administration is more than content to sleep in it. "We are not out of danger," summed up Caspar Weinberger, director of the Office of Management and the Budget, "but we are better off today because of the new economic policies that were adopted at Camp David a year ago." And President Nixon's men are in no mood to tamper with their successful formula. "It is extremely unlikely," said Stein, "that the wage and price controls will be abolished before Nov. 7."

[From U.S. News & World Report, Aug. 21, 1972]

CONTROLS—SUCCESS OR FAILURE?

Peacetime wage-price-rent controls, now entering their second year, have been trimmed back to cover only half of today's workers and renters and even fewer corporations. Here is how controls have worked out—and the changes to expect.

Hope is growing in Washington that the second year of extensive wage and price controls, just now beginning, will be the last.

Most federal officials believe that controls, as they exist at this time, will be lifted well before next August 15—provided that the cost of living continues to increase by not more than 2.5 to 3 percent on a yearly basis.

Right now, the rate of inflation is down to the lower part of that bracket. For the three months ended June 30, 1972, the rise in prices at retail was held to an annual rate of 2.5 percent.

The law authorizing the controls is scheduled to expire next April 30. There are indications that the present program may be ended by that time.

DATE INDEFINITE

The Cost of Living Council, which sets over-all policy for regulating the economy, is not ready to rule out an extension beyond that date, however. Top officials explain that, if they announce a definite time for ending controls, people may then begin to act in ways that would make the job of slowing inflation all the more difficult—buying heavily in advance, for instance, or demanding large pay raises to take effect after the deadline arrives.

Furthermore, there is growing sentiment for retaining some federal sway over prices and wages for an indefinite period, to be used from time to time on a limited basis.

Behind the scenes, the present control agencies are operating on the assumption that even if formal controls are ended when the present law expires in April, a "residual controls unit" will be kept on duty.

Meanwhile, the question is being raised, in public-opinion polls and by political debates, of, whether controls have been successful over the past year. Has inflation really slowed down appreciably? And if it has, should the federal price and wage ceilings get the credit?

WHITE HOUSE VIEW

The Nixon Administration gives a qualified "Yes" answer to both questions. Even officials who opposed the imposition of the "freeze" last August 15 are happier with the controls than they ever expected to be.

Looking back over the year since the President announced his "new economic policy," the Government's economists point to generally favorable trends, as indicated in the chart on page 15.

Aims of the new policy, as Mr. Nixon described them last August, were to check inflation, reducing it to from 2 to 3 percent by the end of 1972; to speed up business recovery, reduce unemployment and restore confidence in the dollar abroad.

All of this was to be accomplished by a series of steps, starting with a 90-day freeze on wages, prices, rents and dividends, plus the imposition of a 10 percent tax on imports, an end to the excise tax on autos, a tax cut for individuals and a suspension of gold payments. The freeze then was lifted, more-flexible control machinery was set up, and by year's end the dollar was devalued, the import surcharge removed and taxes cut.

LESS INFLATION

After a year of this three-pronged new policy, these things have happened:

Inflation is substantially lower.

While there is no one accepted measure, the consumer price index—retail prices that concern most people—dropped from about a 4 per cent annual-increase rate in the three months prior to the freeze to 2.5 per cent in the last quarter.

Wages are not rising quite as fast as they had been before controls.

During the year, the Pay Board authorized wage increases affecting 11.6 million workers, averaging 4.9 per cent.

That was below the general guideline of 5.5 per cent, and helped to hold the over-all increase in average hourly earnings to 6.2 per cent—compared with 6.6 during the preceding year.

"Real" pay, after taxes and after inflation, increased by an average of 4 per cent, after making no appreciable gains in the year before controls. This resulted from lowered taxes and a smaller rise in living costs, plus a larger hike in pay.

Employment increased and unemployment declined a bit, under controls.

The number of workers with civilian jobs rose by 2.4 million during the year, one of the biggest one-year increases on record. But the size of the U.S. civilian labor force increased almost as much—by 2.3 million people, including 400,000 who were cut from the armed services. So the latest unemployment reading, for both June and July, is holding at 5.5 per cent, just under the 6 per cent rate before the freeze.

Productivity now is rising more rapidly, as the economy gains momentum.

Output for the average man-hour of work in the nation's nonfarm economy, as measured officially, is up from an annual rate of 3.1 per cent in the three months preceding controls to 5 per cent in the most recent quarter.

Economic recovery, over all, has picked up speed despite the controls.

Key indicators are nearly all pointed upward, with retail trade up 8.6 per cent during the year since the freeze began, auto sales up 9.2 per cent, and housing starts up 12.2 per cent. The index of industrial production reached a new record high and is now 5 per cent above the level of a year ago.

Even more impressive is the increase in real "gross national product"—total national output of goods and services, discounted for the effect of inflation—which rose at an annual rate of 8.9 per cent in the past quarter of 1972. That is the biggest gain in GNP since 1965, when the Vietnam war was being cranked up. It compares with a 3.4 per cent increase for the quarter before controls.

Not all indicators are good, though.

The dollar is still in trouble abroad, with no early solution in sight.

Despite a devaluation of about 8 per cent and other efforts to restore confidence in the dollar overseas, the U.S. balance-of-payments deficit last year was a record-breaking 29.8 billion dollars. This was due in large part to capital outflows associated with a run on the dollar in the second and third quarters of 1971. That deficit dropped to an annual rate of 13 billion in the first quarter of 1972, but a new period of weakness in the dollar developed in June.

Wholesale prices, often a key to future inflation, have moved higher.

A sudden spurt in wholesale prices—those which businessmen pay and then pass on to the public—occurred in July and shot that price index up at an annual rate of 8.4 per cent. This stemmed in large part from skyrocketing food prices and leaves the outlook for future living costs much in doubt.

All in all, the indicators show, the economy has done well since controls were imposed. Yet economists concede that there are still major problems—the dollar dilemma, the prospect that inflation may turn up again if wholesale prices continue to rise, and a growing federal deficit that may lead to even more inflation. Unemployment, too, is still above 5 per cent. And interest rates remain high by historical standards.

Donald Rumsfeld, Director of the Cost of Living Council, was interviewed by "U.S. News & World Report" on his views of how successful the wage-price controls have been, and what lies ahead.

On the results of the controls, Mr. Rumsfeld commented:

"Well, I would have to ask, in answer to the question, 'How are we doing compared with what?' Compared with where we were a year ago? Pretty good. Compared with what the President's goals were? Quite good. Compared with where we would have been if we had not had an economic-stabilization program? Clearly, I think we're doing considerably better than where we would have been had the President not instituted the new economic policy."

Asked whether he foresees any further easing or tightening of the controls in the near future, Mr. Rumsfeld said:

"No, I don't.

"To the extent we find that there is a need for an adjustment of one sort or another, either a tightening or a loosening on one side or another, certainly we're capable of doing it. But I don't see any persuasive argument at the present time that would lead me to believe that there's an immediate need for any major alteration in the system."

SUBSTANTIAL CUTBACKS

At this time, as the chart on this page shows, the emergency controls that once

covered virtually all except farm prices, all wages and all rents, have been cut back bit by bit so that large segments of the economy are no longer directly covered.

Fewer than half of the nation's 59 million nonfarm civilian wage earners are covered now, for example, as a result of rulings exempting organizations with fewer than 60 employes, and workers with pay of under $2.75 an hour.

Price controls have been lifted from 95 per cent of America's 400,000 business firms, in turn, largely because of the 60-employe exemption.

Rent controls are gone, too, from about 45 per cent of the country's rent-paying tenants. Here, the chief exemptor was a ruling that limited controls from any landlord who owns fewer than four rental units.

EYE ON THE FUTURE

What's the next step? Mr. Rumsfeld was asked whether he expects present controls to stay on for a prolonged period, to be dropped gradually, step by step, or to be ended abruptly. His response:

"My impression is that the lifting of controls will occur where the President's goals have been achieved. Whether it would be before the date [April 30, 1973, when the law expires] or after is something I can't predict. I don't think anyone can at this point.

"The one thing I'd say about what might happen is that it seems to me that there might be some sectors that may merit some special attention.

"Just as the construction industry received some special attention prior to the institution of formal controls last August, it may be that after the present phase of formal controls, there might be some areas, such as construction, that would merit attention and where special attention would make sense from the standpoint of the country."

In the longer run, will the success achieved by the control program thus far provide a pattern to be used any time inflation appears to be getting out of hand? Mr. Rumsfeld observed:

"Well, I would hope not. The present controls were imposed to perform a specific role under a particular set of economic circumstances. And if I've learned anything after a year of being this deeply involved in this activity, it's that those of us in Government—and those outside of Government—ought to have a very cautious attitude about injecting Government deeply into these essentially private decisions either frequently or for a prolonged period of time.

"It's an incredibly complex and difficult business to do well."

[From the Wall Street Journal, Aug. 14, 1972]

YEAR AFTER CONTROLS: WHITE HOUSE CLAIMS CURBS WORK BUT WON'T SAY WHEN THEY'LL END

WASHINGTON.—President Nixon is claiming something close to victory in the battle against inflation, but hedging that the final outcome depends on "the people" and the Congress.

"The rate of increase in the cost of living, which had been cut by one-third before the freeze, now has been cut in half," the President said, calling the result "impressive." But the budget situation is critical, Mr. Nixon added, pledging that "if the people join me in insisting that federal spending be held down, to avoid reviving inflation now and paying higher taxes soon, the government will act responsibly."

His statement noting the anniversary tomorrow of the New Economic Policy begun last Aug. 15 was associated with a day-long press briefing, by top economic aides, and accompanied by widespread rumors in the business community that present Phase 2 wage-price controls would be lifted soon.

Herbert Stein, chairman of the President's Council of Economic Advisers, acknowledged—indeed volunteered—the rumors at the Thursday briefing, which was embargoed for weekend release. Mr. Stein made light of the calls from lawyers that he said had "deluged" his office and that of Donald Rumsfeld, director of the Cost of Living Council; and he assured reporters that the rumors that controls would be ended that day were false.

WHAT ABOUT YEAR-END?

Asked whether controls are likely to be ended before the Nov. 7 presidential election, Mr. Stein first said that is "extremely unlikely." But when asked whether he would repeat his remarks made in early May that controls probably wouldn't end before Dec. 31, Mr. Stein huddled briefly with Mr. Rumsfeld and then said only that "the date of Nov. 7 is irrelevant" to the decision on controls.

Later, Mr. Stein explained to a reporter that he didn't respond directly to the Dec. 31 question because that would only have prompted someone else to ask about the likelihood of controls remaining by Feb. 1. "I will say it now," he said Friday, it is "very unlikely" that the controls program will end by Jan. 1. It would be "silly" and "rash" for anyone "not to count on its still being here by Dec. 31 or Jan. 1," he asserted.

Obviously, Mr. Stein added, "the probability of it still being here diminishes the farther out you go." Thus, he said, he couldn't offer the same degree of assurance about controls continuing next June 1, for example, that he could about their still being in effect next Jan. 1.

Asked at the briefing whether the Nixon administration would ask Congress to renew the basic controls authority before it expires next April 30, Mr. Rumsfeld said that is "obviously under discussion and thought" but "isn't the kind of question I think would be decided during the present period."

As a parade of officials praised the New Economic Policy, reporters from across the country kept concentrating on the subject of when the controls would end. That isn't a "fruitful subject," Treasury Secretary George Shultz said, explaining that setting a terminal date could undermine compliance. "Right now, we need to keep our eye on getting as much out of the control system as we can," he said.

Noting his original opposition to controls, Mr. Shultz said they have "worked out pretty well," remarking also that "freedom" is "part of our standard of living, too." Some negative factors have emerged with controls, he said, mentioning a few employers' "very insidious" practice of granting large pay increases to please their workers, and counting on the Pay Board to cut back the amounts.

COST-PUSH INFLATION

The present controls are designed to work against "cost-push" inflation fed by excessive wage demands, Mr. Stein said, declaring: "I don't think they will operate in a situation of general excess demand," referring to "demand-pull" inflation fed by federal deficits and easy-money policies. The present controls are "essentially temporary and self-limiting," he said, adding that he doesn't think they have a continuing place in the American economy.

Supporting the claims of progress against inflation, the Council of Economic Advisers noted in a mid-year report that the consumer price index climbed 6.1% in 1969 and 5.5% in 1970. The average seasonally adjusted annual rate of rise slowed to 3.8% between December 1970 and last August, however, and to only 1.8% from February through June of this year, the report said.

But Mr. Stein cautioned that after edging up at only a 1.2% annual rate in June, the index is likely to show "considerably more rapid increases" for July and August due to previously reported higher wholesale prices for food, particularly beef.

While Marina Whitman, a council member, voiced optimism that retail food prices probably will turn down shortly, Mr. Rumsfeld expressed concern about the time it takes for the public to believe that such relief exists.

Polls show that "most people probably aren't feeling it," Mr. Rumsfeld said, adding that "the other night my wife sat down and I told her food was up 0.0% (from February through June) and she said, 'Do me a favor—don't ever say that in public—no one will believe it.' She said, 'all I know is my bill is up $10 a week.' "

IMPROVEMENT IN SPENDABLE EARNINGS

The public feeling about inflation will be important in 1973's much heavier labor bargaining schedule, Mr. Shultz said, expressing hope that the improvement in "real spendable earnings" will moderate contract demands. This measure of actual after-tax purchasing power—adjusted to strip away the effects of inflation—caused a "great sense of frustration" by leveling off between 1965 and 1970, but since then it has been moving up "rather well" at about a 4% annual rate, he said.

Also over the weekend, the Democratic majority on the congressional Joint Economic Committee issued a statement contending that "the wide publicity given to the improvement in economic performance in the last few months shouldn't delude the public into believeing that all is well with the economy." While the present wage-price controls "shouldn't remain for long," the lawmakers said, "some form of continuing price and incomes policy will clearly be needed."

The Nixon administration's economic policies are "unduly influenced by a fear of inflation," the panel charged, "and by a stubbornly held, but erroneous, belief that the way to control inflation is to restrict the growth of output and employment." The joint committee Democrats said that while inflation "remains a most serious problem," the best way to deal with it is "a rapid return to prosperity, accompanied by carefully formulated price and incomes policies."

The unemployment rate "can and should" be brought down to 4% of the labor force from the current 5.5% within the next 18 months, the Democrats said, promising to outline a plan to do this soon. "Fiscal and monetary stimulus will continue to be needed," they stated, arguing that it "appears unlikely that the strength of the private economy alone in the second half of 1972 will be sufficient to sustain the growth needed for rapid reduction of unemployment."

Aides of Democratic presidential nominee George McGovern issued a separate rejoinder, charging that "high unemployment has been a deliberate policy of the Nixon administration." The administration "is entitled to take credit" for the "mini-recovery," they said, "as long as it takes the blame for the maxi-recessing which it had previously engineered."

[From The New York Times, Aug. 13, 1972]

ECONOMIC ANNIVERSARY

A year ago on a Sunday evening in mid-August, President Nixon went on television to loose three economic bombshells—the floating of the dollar, the freezing of wages and prices, and a big package of tax cuts in the face of a big budget deficit. This was his New Economic Policy, an about-face from the policies his Administration had pursued through its first two and a half years.

An alarming worsening in the balance of payments, signs that inflation—after a brief slowdown—was again accelerating, and the persistence of unemployment had combined

to force adoption of policies similar to those the Administration's political opponents had long counseled—and which Mr. Nixon and his advisers had vociferously denounced.

Although the American economy still bears scars of the long delay in changing the original Nixon game plan, the N.E.P. appears to be on the way to success in most respects.

INDUSTRIAL RECOVERY

The economy is rising strongly. The total output of goods and services, corrected for inflation, rose at an annual rate of 8.9 per cent in the second quarter of this year. Even though so spectacular a rate of increase cannot be expected to continue, it still appears likely that real gross national product will climb by nearly 6 per cent in 1972 and that this increase will continue well into 1973.

The economy's recovery has been accompanied by a slowing of inflation—partly due to the delayed effect of the long recession and the wide gap it opened between the country's actual operating rate and its potential, partly to the increase of productivity, and partly to the impact of wage-price controls.

After rising at an annual rate of nearly 6 per cent in 1970 and the first half of 1971, the price index for the economy as a whole slowed to a 2.1 per cent rate in the second quarter of this year. It will almost certainly not stay so low for the year as a whole; yet the chances are good that 1972 will see a rise of only about 3.5 per cent for the over-all price index.

WORRISOME UNEMPLOYMENT

Unemployment has also come down from the 6 per cent plateau. However, five million workers, 5.5 per cent of the labor force, are still out of work, and the outlook is for unemployment to stay above 5 per cent for the rest of this year and 1973 as well. The Administration is unduly complacent about so high a level of joblessness.

Even granting that some structural changes in the labor force may make the attainment of full employment more difficult today than in earlier years, the White House deserves criticism for its failure to launch a more forceful direct attack on unemployment. It has depended too much on general fiscal and monetary policies to deal with idleness that results from social causes, imperfection in labor markets and shifts in job availabilities.

The Employment Act of 1946 did not imply a goal of "maximum employment" to mean whatever unemployment rate existed as long as business was in a boom or semi-boom. The time has come for the statutory pledge of full employment to be interpreted—by this or any future Administration—to mean that every American who wants a job can be assured of getting one—either in the private or in the public sector.

DEVALUED DOLLAR

In the international area, the Administration warrants great credit for severing the link between the dollar and gold and for forcing a realignment of exchange rates. Sooner or later this will mean a strengthening of the American balance of payments, although the nation is far from out of the woods. Compared to the enormous monetary drain in 1971 there has already been much improvement. That is true even though the balance of trade has worsened, due to the initial effects of dollar devaluation.

While the Administration can be faulted for the rough bargaining tactics used by former Secretary of the Treasury Connally, the over-all international strategy of the Administration was correctly based on the conclusion that the United States dollar was overvalued. The net devaluation of the dollar by 12 per cent has reduced this country's cost and price structure relative to its foreign competitors. The White House has sought to pressure other countries into granting unilateral trade concessions to the United States. Thus far, the Administration has little to show on the trade front and it has raised doubts about its commitment to maintaining close economic and political relations with its allies. Indeed, the Administration's balance-of-power approach to economic policy—with this country playing a lone hand among the Western European countries, Japan and the Communist states—could split the Western world into antagonistic blocs.

Mr. Nixon, furthermore, remains too willing to yield to protectionist demands of some industries and labor unions, although it must be granted that those pressures have been intense. Full employment policies would do more than any other thing to contain protectionist demands.

One of the major pieces of unfinished business facing the Nixon Administration or its successor will be the negotiation of reform in the international monetary system. The more cooperative attitude and actions the Federal Reserve and Treasury have displayed toward other nations in recent weeks have improved the outlook for the international monetary negotiations that begin in Washington next month.

POCKETBOOK CONTROLS

Short of embracing Marxism, no economic approach was more abhorrent to President Nixon in his first thirty months in the White House than the notion that an inflation-beset economy might benefit from mandatory controls on wages and prices. It was an item of dogma for him that such controls never had and never could work in a democracy except in periods of total war.

In the year since Mr. Nixon imposed a ninety-day freeze as Phase One of his embarkation on a regulated economy, his Administration has been giving a generally persuasive demonstration that, even in the face of hostility from most of organized labor, controls can moderate the wage-price spiral without stifling economic growth or building up a monstrous bureaucracy.

It is true, however, that the evidence remains inconclusive, both as to how fairly the program has been applied thus far and, even more, as to how adequate it is to meet the triple-barreled challenges just ahead of faster business expansion, mounting Federal deficits and a heavy 1973 calendar of union demands in major industries.

LOOPHOLE ON FOODS

Most observers give the Price Commission high marks for the vigor with which it has sought to achieve its goal of holding the over-all level of price increases to 2.5 per cent, but the exemption from controls of raw foods has proved a handicap so severe that the commission itself vainly appealed for White House action to put the whole family market-basket under ceilings.

The Administration response, born of reluctance to tangle with the farmers in an election year, was to settle for a much milder curb, a temporary lifting of meat import quotas. That hole in the price net makes it probable that 1972 will end with the price level a full percentage point above the anti-inflation target. On top of that, the high level of second-quarter corporate profits has brought a fresh deluge of labor complaints that the whole program is unfairly loaded in favor of big business.

The Pay Board, aided by a relatively light collective bargaining schedule, did an even more effective job than the Price Commission after an exceedingly rocky baptism. Despite the walkout of four of its five union members, the board has succeeded in trimming first-year pay increases in new contracts involving large unions from better than 11 per cent in the year before controls to just above 7 per cent now.

Even the rampaging construction unions, operating under a semi-autonomous stabilization mechanism of their own, have come way down. More important, the wage regulators faced up to such tough customers as the East and West Coast longshoremen on the need for shaving negotiated increases that would have torpedoed the whole control effort—and did it without touching off strike defiance of the kind British dock workers are currently directing against that country's new Industrial Relations Act.

WAGE GUIDEPOST

The combined average of increases approved for oganized and unorganized workers is running at 4.9 percent, well below the 5.5 percent basic yardstick established by the Pay Board last November. It will meet this week to consider cutting the guidepost still lower, though there is no prospect it will come down to the old Kennedy-Johnson productivity standard of 3.2 percent. Much more progress toward price stability will have to be made before that becomes a realistic guidepost for pay envelopes.

The real election test for both parties will be to tell the country what monitoring machinery they plan to hold the line of wages and prices. An abrupt termination of controls when the present Economic Stabilization Act runs out next April would almost certainly reactivate the senseless leapfrog which wiped out the purchasing power of higher wages before workers could get to the supermarket to spend them.

It is plain that the factors of monopoly power in big industry and big labor which prompted a conservative Administration to move from Adam Smith to John Maynard Keynes are only temporarily in check. The question now is how best to balance the imperatives of social responsibility and economic freedom when Phase Two ends.

We all know that food prices still are a problem. Even Mrs. Rumsfeld so advised her husband, as reported in the following dispatch Reuter News Service:

[From the Washington Post, Aug. 13, 1972]

RUMSFELD'S WIFE SETS HIM STRAIGHT

The director of the Cost of Living Council has confessed he is unable to convince his wife the Nixon administration is holding down grocery prices.

Donald Rumsfeld revealed this to reporters at a briefing on the controls program.

"I told my wife food prices have been almost unchanged for the past few months," Rumsfeld said. "She told me, 'Don't tell anyone that. They will never believe it. My grocery bill is up $10 a week.' "

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. CORMAN, for Friday, August 18, 1972, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KYL) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. ANDERSON of Illinois, for 15 minutes, today.

Mr. STEIGER of Wisconsin, for 10 minutes, today.

(The following Members (at the request of Mr. SEIBERLING) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. O'NEILL, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. KASTENMEIER, for 10 minutes, today.
Mr. ROONEY of Pennsylvania, for 15 minutes, today.
Mr. SEIBERLING, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HAWKINS, notwithstanding it exceeds two pages of the RECORD, and is estimated by the Public Printer to cost $977.50.

Mr. BINGHAM, in two instances and to include extraneous matter.

Mr. FRASER and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $510.

Mr. BROWN of Michigan, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $977.50.

Mr. PRICE of Illinois to revise and extend his remarks and include extraneous matter.

Mr. MAYNE (at the request of Mr. WIDNALL) to revise and extend his remarks on S. 3726.

Mr. MURPHY of New York to revise and extend his remarks on H.R. 14847.

(The following Members (at the request of Mr. KYL) and to include extraneous matter.)

Mr. SCHWENGEL.
Mr. BELL.
Mr. COUGHLIN.
Mr. SCHERLE.
Mr. WINN.
Mr. WHITEHURST.
Mr. FINDLEY.
Mr. BRAY.
Mr. MYERS in three instances.
Mr. MATHIAS of California in 10 instances.
Mr. KEMP in five instances.
Mr. MIZELL in 10 instances.
Mr. ROBINSON of Virginia in three instances.
Mr. ASHBROOK in three instances.
Mr. HANSEN of Idaho in three instances.
Mr. FRENZEL.
Mr. WYMAN in two instances.
Mr. BROWN of Ohio in two instances.
Mr. DON H. CLAUSEN.
Mr. KEITH.
Mr. MALLARY.
Mr. ROUSSELOT in two instances.
Mr. DELLENBACK.
Mr. HOSMER in four instances.
Mr. SHRIVER in two instances.
Mr. HUTCHINSON.
Mr. DENNIS.
Mr. CRANE in five instances.
Mr. BUCHANAN in five instances.

(The following Members (at the request of Mr. SEIBERLING) and to revise and extend their remarks.)

Mr. MATSUNAGA in five instances.
Mr. O'NEILL in two instances.
Mr. EDWARDS of California.
Mr. MILLS of Arkansas.
Mr. RARICK in three instances.
Mr. GONZALEZ in three instances.
Mr. FRASER in 10 instances.
Mr. JACOBS in two instances.
Mr. DRINAN in two instances.
Mr. MATHIS of Georgia.
Mrs. SULLIVAN in three instances.
Mr. WOLFF in three instances.
Mr. HAMILTON in five instances.
Mr. LEGGETT in three instances.
Mr. HARRINGTON.
Mr. ROE in two instances.
Mr. PEPPER in three instances.
Mr. ZABLOCKI in three instances.
Mr. ROONEY of Pennsylvania in three instances.
Mr. MCCORMACK.
Mr. LONG of Maryland.
Mr. MAHON.
Mr. CAREY of New York.
Mr. RANGEL.
Mrs. GREEN of Oregon.
Mr. PIKE.
Mr. DELLUMS in five instances.
Mr. MOORHEAD in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 32. An act to amend the National Science Foundation Act of 1950 in order to establish a framework of national science policy and to focus the Nation's scientific talent and resources on its priority problems, and for other purposes; to the Committee on Science and Astronautics.

S. 3594. An act providing for Federal purchase of the remaining Klamath Indian Forest; to the Committee on Interior and Insular Affairs.

S. 3762. An act to extend the program for health services for domestic agricultural migrant workers; to the Committee on Interstate and Foreign Commerce.

S. 3811. An act to amend the act entitled "An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes," approved November 5, 1966; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 755. An act to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances, and for other purposes;

H.R. 2394. An act for the relief of Antonio Benavides;

H.R. 2703. An act for the relief of Mrs. Concepcion Garcia Balauro;

H.R. 3413. An act for the relief of Dr. David G. Simons, lieutenant colonel U.S. Air Force (retired);

H.R. 5158. An act for the relief of Maria Rosa Martins;

H.R. 5814. An act to amend section 2735 of title 10, United States Code, to provide for the finality of settlement effected under section 2733, 2734, 2734a, 2734b, or 2737;

H.R. 8549. An act to amend title 10, United States Code, to broaden the authority of the Secretaries of the military departments to settle certain admiralty claims administratively, and for other purposes;

H.R. 9256. An act for the relief of Kyong Ok Goodwin (Nee Won);

H.R. 10310. An act to establish the Seal Beach National Wildlife Refuge;

H.R. 10713. An act for the relief of Wilma Busto Koch;

H.R. 11185. An act to amend the Internal Revenue Code of 1954 with regard to the exempt status of veterans' organizations, and for other purposes;

H.R. 12392. An act to amend title 28, United States Code, section 1491, to authorize the Court of Claims to implement its judgments for compensation;

H.R. 12931. An act to provide for improving the economy and living conditions in rural America;

H.R. 15474. An act to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Cooley's anemia.

H.R. 15580. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes; and

H.J. Res. 1278. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 2166. An act to authorize the establishment of the Grant-Kohrs National Historic Site in the State of Montana, and for other purposes;

S. 3159 An act to authorize the Secretary of the Interior to establish the John D. Rockefeller, Jr., Memorial Parkway, and for other purposes;

S. 3726 An act to extend and amend the Export Administration Act of 1969 to afford more equal export opportunity, to establish a Council on International Economic Policy, and for other purposes;

S. J. Res. 182. Joint resolution authorizing the President to invite the States of the Union and foreign nations to participate in Farmfeast-U.S.A. and the World Ploughing Contest in September 1972.

S. J. Res. 213. Joint resolution to authorize and request the President to issue a proclamation designating October 6, 1972, as "National Coaches Day"; and

S. J. Res. 260. Joint resolution to suspend until March, 1973, the effectiveness of certain amendments made by the Education Amendments of 1972 to the guaranteed student loan program.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On August 16, 1972:

H.R. 5065. An Act to amend the Natural Gas Pipeline Safety Act of 1968, and for other purposes.

H.R. 9092. An Act to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes;

H.R. 13324. An Act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce, and for related purposes; and

H.R. 15097. An Act making appropriations for the Department of Transportation and

related agencies for the fiscal year ending June 30, 1973, and for other purposes.

On August 17, 1972:

H.R. 10676. An Act for the relief of Lester L. Stiteler; and

H.R. 16254. An Act making certain disaster relief supplemental appropriations for the fiscal year 1973, and for other purposes.

ADJOURNMENT

Mr. SEIBERLING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with Senate Concurrent Resolution 94 of the 92d Congress, the Chair declares the House adjourned until 12 o'clock noon on Tuesday, September 5, 1972.

Thereupon (at 5 o'clock and 46 minutes p.m.), pursuant to Senate Concurrent Resolution 94, the House adjourned until Tuesday, September 5, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2267. A letter from the Deputy Secretary of Defense, transmitting a semiannual report on funds obligated in the chemical warfare and biological research programs, covering the second half of fiscal year 1972, pursuant to section 409 of Public Law 91–121; to the Committee on Armed Services.

2268. A letter from the Chairman, Cost Accounting Standards Board, transmitting the first progress report of the Board, covering the period from its organization in January 1971, through June 30, 1972, pursuant to section 719(k) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

2269. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting a list of all persons employed by the Commission, by name, title, grade, and salary, as of the end of fiscal year 1972, pursuant to section 705(e) of the Civil Rights Act of 1964, as amended; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee of conference. Conference report on H.R. 12350 (Rept. No. 92–1367). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPIN:

H.R. 16478. A bill to amend title 10 of the United States Code to strike out the provision whereby the head of an agency may waive the submission of cost or pricing data by contractors prior to the negotiation and award of, or pricing of changes and modifications to, certain military contracts; to the Committee on Armed Services.

By Mr. BURTON (for himself and Mr. BEGICH):

H.R. 16479. A bill to establish the Golden Gate National Urban Recreation Area in San Francisco and Marin Counties, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. CABELL (by request):

H.R. 16480. A bill to amend the law in the District of Columbia with respect to zoning regulations to create a presumption against the making of special exceptions to such zoning regulations in certain cases; to the Committee on the District of Columbia.

By Mr. CAREY of New York:

H.R. 16481. A bill to encourage and support the dissemination of news, opinion, scientific, cultural, and education matter through the mails; to the Committee on Post Office and Civil Service.

By Mr. CAREY of New York (for himself, Mr. SARBANES, Mr. COUGHLIN, and Mr. MURPHY of New York):

H.R. 16482. A bill to provide payments to States for public elementary and secondary education and to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 16483. A bill to prevent the unauthorized manufacture and use of the character "Woodsy Owl", and for other purposes; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 16484. A bill to prohibit the importation into the United States of birds, or parts thereof, unless inspected and found to be free of communicable diseases; to the Committee on Ways and Means.

By Mr. DENHOLM:

H.R. 16485. A bill to assure maximum national nutrition with the highest quality and greatest quantity of food and fiber at the lowest possible cost to consumers with emphasis on people, performance and production; and to achieve a balance in national economic growth and social stability by reducing or tending to reduce the cost of living, by reversing the pressures of continued inflation and by providing alternatives to economic coercion of national population trends; and to encourage maximum conservation in the preservation of ecological and environmental values in the optimum utilization of human and natural resources; and for other purposes; to the Committee on Agriculture.

By Mr. FOLEY:

H.R. 16486. A bill to authorize the transfer of earned purchasor credits between national forests timber sale contracts; to the Committee on Public Works.

By Mr. FRENZEL:

H.R. 16487. A bill to deem certain disabilities incurred pursuant to State National Guard service during World War I to be service connected for purposes of chapter 11 of title 38, United States Code (relating to compensation for service-connected disabilities); and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FREY:

H.R. 16488. A bill to restrict travel in violation of area restrictions; to the Committee on the Judiciary.

By Mrs. GRASSO:

H.R. 16489. A bill to provide for an investigation by the General Services Administration of various problems involved in providing toll-free telephone numbers for incoming calls at each regional office of most executive agencies; to the Committee on Government Operations.

H.R. 16490. A bill to amend title 39, United States Code, to authorize the transmission without cost to the sender, of letter mail to the President or Vice President of the United States, to Federal executive departments and agencies, or to Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 16491. A bill to provide for disciplined and responsible action in the consideration and execution of the Federal budget; to the Committee on Government Operations.

By Mr. KOCH:

H.R. 16492. A bill to amend the Internal Revenue Code of 1954 to provide that in the case of a dependent 62 or more years of age the support test shall be satisfied if the taxpayer contributes $1,500 or more to the support of such dependents to the Committee on Ways and Means.

H.R. 16493. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare (in the case of the old-age, survivors, and disability insurance program or the medicare program) or the appropriate State agency (in the case of any of the public assistance or medicaid programs) shall be liable for attorney's fees incurred by an individual in successfully challenging a decision which denies him the benefits or assistance, or reduces or limits the benefits or assistance, to which he is entitled under such program; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 16494. A bill to prescribe a minimum rate of interest which member banks of the Federal Reserve System shall pay on time and savings deposits; to the Committee on Banking and Currency.

By Mr. MATHIS of Georgia:

H.R. 16495. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension; to the Committee on Veterans' Affairs.

By Mr. MIKVA:

H.R. 16496. A bill to terminate the airlines mutual aid agreement; to the Committee on Interstate and Foreign Commerce.

H.R. 16497. A bill to further amend the Social Security Act, as amended, to provide for grants to the States for the development and implementation of coordinated State programs for individual and family social services; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 16498. A bill to authorize a program of research, development, and demonstration projects for non-air-polluting motor vehicles; to the Committee on Interstate and Foreign Commerce.

H.R. 16499. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16500. A bill to prohibit the alteration of streambeds unless the Administrator of the Environmental Protection Agency certifies it to be in the public interest; to the Committee on Public Works.

H.R. 16501. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for certain expenses paid by the taxpayer for the vocational or higher education of any individual; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 16502. A bill to provide increases in certain annuities payable under chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 16503. A bill to amend chapter 83 of title 5, United States Code, to eliminate the survivorship reduction during periods of nonmarriage of certain annuitants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL:

H.R. 16504. A bill to amend title 38 of the United States Code to provide that any social security benefit increases provided for by Public Law 92-336 be disregarded in determining eligibility for pension or compensation under such title; to the Committee on Veterans' Affairs.

H.R. 16505. A bill to require States to pass along to public assistance recipients who are entitled to social security benefits the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself and Mr. CARNEY):

H.R. 16506. A bill to authorize the Secretary of the Interior to establish national parks or national recreation areas in those States which presently do not have a national park or national recreation area; to the Committee on Interior and Insular Affairs.

By Mr. SCHERLE (for himself, Mr. POAGE, Mr. STEIGER of Arizona, Mr. SEBELIUS, Mr. PRICE of Texas, Mr. THONE, and Mr. MAYNE):

H.R. 16507. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise certain requirements for approval of new animal drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Wisconsin:

H.R. 16508. A bill to amend the Occupational Safety and Health Act of 1970 to provide additional assistance to small employers; to the Committee on Education and Labor.

By Mr. WAMPLER:

H.R. 16509. A bill to require States to pass along to public assistance recipients who are entitled to social security benefits at least half of the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. YATRON:

H.R. 16510. A bill to amend the National Flood Insurance Act of 1968; to the Committee on Banking and Currency.

By Mr. GIAIMO:

H.J. Res. 1293. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1973, for certain activities of the Department of Agriculture, and for other purposes; to the Committee on Appropriations.

By Mr. ROYBAL:

H. Res. 1105. Resolution expressing the sense of the House of Representatives with respect to reruns of television programs; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 16511. A bill to allow International Risks, Inc., to use within the District of Columbia the name "Special Risk Covers of the District of Columbia, Inc."; to the Committee on the District of Columbia.

By Mr. CEDERBERG:

H.R. 16512. A bill for the relief of Lealla Laura Melvin; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 16513. A bill for the relief of the Cuban Truck & Equipment Co., its heirs, and assigns; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 16514. A bill to permit the Capitol Yacht Club of the District of Columbia to borrow money without regard to the usury laws of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GUDE:

H.R. 16515. A bill to permit the Capitol Yacht Club of the District of Columbia to borrow money without regard to the usury laws of the District of Columbia; to the Committee on the District of Columbia.

EXTENSIONS OF REMARKS

THE IMPORT OF PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS OF 1972 TO THE EIGHTH CONGRESSIONAL DISTRICT AND THE STATE OF NEW JERSEY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 16, 1972

Mr. ROE. Mr. Speaker, in April 1972 we were successful in having the Secretary of Commerce determine that Passaic County, Eighth Congressional District of New Jersey, statistically qualifies, based on the continuing high unemployment rate in our county confirmed by the U.S. Department of Labor, for designation as a title I area eligible for long term economic development grants and loans for the construction of public works and development facilities including added Federal supplementary grants under the Public Works and Economic Development Act of 1965, Public Law 89-136.

This action was most important to my congressional district, one of the most highly industrialized and major labor market areas in the northeast metropolitan region of our country, where we have suffered among the highest unemployment ratios in the United States. Eligibility under title I of this act authorizing grants for public works and development facilities, as it is presently constituted, provided us with the opportunity to apply for 50 percent direct matching Federal assistance funds for:

First, acquisition or development of land and improvements for public works, public service, or development facility usage; and second, acquisition, construction, rehabilitation, alteration, expansion or improvement of such facilities including related machinery and equipment, as well as supplementary grants for a total maximum Federal share up to 80 percent to take maximum advantage of:

First, designated Federal grant-in-aid programs defined in the act; second, the forementioned direct grants enumerated under first—above—and third, Federal grant-in-aid programs authorized by the Watershed Protection and Flood Prevention Act and the 11 watersheds authorized by the Flood Control Act of December 22, 1944—including the Passaic River Basin—for which these areas are eligible but, because of their economic situation, they cannot supply the required matching share.

All essential factors in generating permanent jobs for long-term employment in our economically depressed areas and contributing substantially to the establishment of stable and diversified local economies.

Mr. Speaker, it is important to note that the amendments to the Public Works and Economic Development Act scheduled for consideration on today's congressional calendar will provide my Passaic County District with the following benefits which are essential to help meet the desperate need for economic development programing and capital economic expansion in our county, State and Nation—and particularly in our urban centers where the highest level of unemployment prevails throughout our country.

The amendments would strike the requirement that supplementary grants for public works and development facilities can be used only to increase the Federal contribution above the authorized maximum, thereby permitting use of supplementary grants to raise the Federal contribution from the amount of the basic grant to the authorized maximum. The bill would also decrease the required local share for grant-in-aid projects from 20 to 10 percent.

The amendments authorize operating grants at a rate not to exceed 75 percent of operating costs for vocational training facilities constructed with direct grants under title I of the act. These transition grants would be available for any two years during the 5 years following enactment to help communities make permanent arrangements to fund such operating costs.

The eligibility criteria provisions of the amendments under the public works impact program are most significant in providing immediate short term employment for pockets of high unemployment without sacrificing the limited funding available to other areas under the Public Works and Economic Development Assistance Act. The public works impact program would receive $500 million in each of the next 2 fiscal years. The amendment redefines special impact areas as areas, urban and rural and without regard to other boundaries, which have a large concentration of low-income persons, substantial unemployment, or actual or threatened unemployment due to closing or curtailment of a major source of employment and provides 100 percent Federal matching funds for these areas of high unemployment, concentrated low income, or substantial outmigration.

Mr. Speaker, by citing only benefits as they apply to title I of the Public Works and Economic Development Act, I trust no one will misconstrue the value of any of the other amendments contained in today's legislation as being less important. I firmly believe that the bill, as presented, has incorporated many of the